

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SPECIAL SESSION

LEGISLATIVE BILL 3

Introduced by Speaker Flood, 19; at the request of the Governor.

Read first time November 04, 2009

Committee: Appropriations

A BILL

1 FOR AN ACT relating to state funds; to amend sections 2-1222,
2 2-1503.01, 2-1577, 2-1587, 2-15,122, 2-1808, 2-2317,
3 2-2627, 2-3413, 2-3633, 2-3763, 2-3812, 2-4018, 3-126,
4 13-2704, 24-227.01, 24-229, 25-2921, 25-3002, 29-2259.02,
5 29-2262.07, 29-3921, 33-102, 35-1203, 37-345, 38-157,
6 46-1121, 46-1403, 50-437, 54-197, 54-635, 57-919,
7 66-739, 70-1020, 71-222.02, 71-4732, 72-1249.02, 72-2009,
8 76-549, 77-3,110, 77-4310.03, 77-5031, 79-810, 79-1320,
9 81-188.01, 81-201.05, 81-2,147.11, 81-2,162.27, 81-2,291,
10 81-528, 81-5,153, 81-8,110.07, 81-8,194, 81-1120.23,
11 81-1201.22, 81-1252, 81-1278, 81-1413.01, 81-1428,
12 81-15,121, 81-15,165, 81-15,180, 81-1607.01, 81-1634,
13 81-2004.01, 81-2004.05, 81-2105, 81-3524, 82-108.02,
14 82-316, 83-913.01, 84-321, 84-409, 84-414, 84-1227,

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1 85-1419, 85-1803, 86-127, 86-312, 86-463, 88-545.01,
2 88-552, and 89-1,100, Reissue Revised Statutes of
3 Nebraska, sections 48-1,116, 49-14,140, 50-114.05,
4 53-117.06, 53-304, 54-857, 54-2428, 55-131, 59-1608.04,
5 60-3,218, 61-210, 61-218, 66-4,100, 71-5661, 71-5714,
6 71-8612, 72-2211, 72-2501, 76-2226, and 77-5601, Revised
7 Statutes Cumulative Supplement, 2008, and sections
8 1-111, 2-958.01, 2-5106, 47-632, 57-705, 60-2132,
9 66-1521, 66-1839, 77-1342, 81-885.15, 81-1201.21,
10 81-15,160, 81-3119, 81-3432, and 84-510, Revised Statutes
11 Supplement, 2009; provide for transfers to the General
12 Fund; to eliminate obsolete provisions; to repeal the
13 original sections; and to declare an emergency.
14 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 1-111, Revised Statutes Supplement,
2 2009, is amended to read:

3 1-111 (1) All fees collected under the Public Accountancy
4 Act and all costs collected under subdivision (8) of section
5 1-148 shall be remitted by the board to the State Treasurer for
6 credit to the Certified Public Accountants Fund which is hereby
7 created. Such fund shall, if and when specifically appropriated
8 by the Legislature during any biennium for that purpose, be paid
9 out from time to time by the State Treasurer upon warrants drawn
10 by the Director of Administrative Services on vouchers approved
11 by the board, and such board and expense thereof shall not be
12 supported or paid from any other fund of the state. Transfers may
13 be made from the fund to the General Fund at the direction of
14 the Legislature. Any money in the Certified Public Accountants Fund
15 available for investment shall be invested by the state investment
16 officer pursuant to the Nebraska Capital Expansion Act and the
17 Nebraska State Funds Investment Act.

18 (2) The board shall remit civil penalties collected
19 under subdivision (5) of section 1-148 to the State Treasurer for
20 distribution in accordance with Article VII, section 5, of the
21 Constitution of Nebraska.

22 Sec. 2. Section 2-958.01, Revised Statutes Supplement,
23 2009, is amended to read:

24 2-958.01 The Noxious Weed and Invasive Plant Species
25 Assistance Fund is created. The fund may be used to carry out the

1 purposes of section 2-958.02. The State Treasurer shall credit to
2 the fund any funds transferred or appropriated to the fund by the
3 Legislature and funds received as gifts or grants or other private
4 or public funds obtained for the purposes set forth in section
5 2-958.02. Transfers may be made from the fund to the General
6 Fund at the direction of the Legislature. Any money in the fund
7 Noxious Weed and Invasive Plant Species Assistance Fund available
8 for investment shall be invested by the state investment officer
9 pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 Sec. 3. Section 2-1222, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 2-1222 There is hereby created the Racing Commission's
14 Cash Fund from which shall be appropriated such amounts as are
15 available therefrom and as shall be considered incident to the
16 administration of the State Racing Commission's office. The fund
17 shall contain all license fees and gross receipt taxes collected
18 by the commission as provided under sections 2-1203, 2-1203.01,
19 2-1208, and 2-1242 but shall not include taxes collected pursuant
20 to section 2-1208.01, and such fees and taxes collected shall
21 be remitted to the State Treasurer for credit to the Racing
22 Commission's Cash Fund. Transfers may be made from the fund to
23 the General Fund at the direction of the Legislature. Any money
24 in the fund Racing Commission's Cash Fund available for investment
25 shall be invested by the state investment officer pursuant to

1 the Nebraska Capital Expansion Act and the Nebraska State Funds
2 Investment Act.

3 Sec. 4. Section 2-1503.01, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 2-1503.01 The Small Watersheds Flood Control Fund is
6 created. The State Treasurer shall credit to the fund such
7 money as is specifically appropriated during any session of the
8 Legislature. The State Treasurer shall also credit such fund with
9 money contributed to or remitted by local organizations which was
10 obtained through the sale or lease of property procured through the
11 use of state funds as authorized in sections 2-1502 to 2-1503.03.
12 In addition, funds, services, and properties made available by
13 the United States or one of its departments or agencies may be
14 credited to the fund. The money in the fund shall not be subject
15 to fiscal year or biennium limitations. Transfers may be made from
16 the fund to the General Fund at the direction of the Legislature.
17 Any money in the ~~fund~~ Small Watersheds Flood Control Fund available
18 for investment shall be invested by the state investment officer
19 pursuant to the Nebraska Capital Expansion Act and the Nebraska
20 State Funds Investment Act.

21 Sec. 5. Section 2-1577, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 2-1577 (1) There is hereby created the Nebraska Soil and
24 Water Conservation Fund to be administered by the department. The
25 State Treasurer shall credit to the fund such money as is (a)

1 appropriated to the fund by the Legislature, (b) paid to the state
2 as fees, deposits, payments, and repayments relating to the fund,
3 both principal and interest, and (c) donated as gifts, bequests, or
4 other contributions to such fund from public or private entities.
5 Funds made available by any agency of the United States may also be
6 credited to such fund if so directed by such agency.

7 (2) The money in the fund shall not be subject to any
8 fiscal-year limitation or lapse provision of unexpended balance at
9 the end of any such fiscal year or biennium. Transfers may be
10 made from the fund to the General Fund at the direction of the
11 Legislature.

12 (3) Any money in the fund Nebraska Soil and Water
13 Conservation Fund available for investment shall be invested by the
14 state investment officer pursuant to the Nebraska Capital Expansion
15 Act and the Nebraska State Funds Investment Act.

16 Sec. 6. Section 2-1587, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 2-1587 (1) There is hereby created the Nebraska Resources
19 Development Fund to be administered by the department. The State
20 Treasurer shall credit to the fund, to carry out sections 2-1586
21 to 2-1595, such money as is (a) appropriated to the fund by the
22 Legislature, (b) paid to the state as fees, deposits, payments,
23 and repayments relating to the fund, both principal and interest,
24 and (c) donated as gifts, bequests, or other contributions to such
25 fund from public or private entities. Funds made available by any

1 department or agency of the United States may also be credited to
2 this fund if so directed by such department or agency. The money
3 in the fund shall not be subject to any fiscal year or biennium
4 limitation requiring reappropriation of the unexpended balance at
5 the end of the fiscal year or biennium. Transfers may be made from
6 the fund to the General Fund at the direction of the Legislature.

7 (2) To aid in the funding of projects and to prevent
8 excessive fluctuations in appropriation requirements for the ~~fund,~~
9 Nebraska Resources Development Fund, the department shall create
10 a reserve fund to be used only for projects requiring total
11 expenditures from the Nebraska Resources Development Fund in excess
12 of five million dollars. Unless disapproved by the Governor, the
13 department may credit to such reserve fund that portion of any
14 appropriation to the Nebraska Resources Development Fund which
15 exceeds five million dollars. The department may also credit to the
16 reserve fund such other funds as it determines are available.

17 (3) Any money in the Nebraska Resources Development Fund
18 available for investment shall be invested by the state investment
19 officer pursuant to the Nebraska Capital Expansion Act and the
20 Nebraska State Funds Investment Act.

21 Sec. 7. Section 2-15,122, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 2-15,122 There is hereby created the Natural Resources
24 Water Quality Fund. The State Treasurer shall credit to the fund
25 for the uses and purposes of section 2-15,123 such money as

1 is specifically appropriated, such funds, fees, donations, gifts,
2 services, or devises or bequests of real or personal property
3 received by the department from any source, federal, state, public,
4 or private, to be used by the department for the purpose of
5 funding programs listed in subsection (2) of section 2-15,123,
6 and such money credited under sections 2-2634, 2-2638, and 2-2641.
7 The department shall allocate money from the fund pursuant to
8 section 2-15,123. The fund shall be exempt from provisions relating
9 to lapsing of appropriations, and the unexpended and unencumbered
10 balance existing in the fund on June 30 each year shall be
11 reappropriated, except that transfers may be made from the fund
12 to the General Fund at the direction of the Legislature. Any
13 money in the ~~fund~~ Natural Resources Water Quality Fund available
14 for investment shall be invested by the state investment officer
15 pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act.

17 Sec. 8. Section 2-1808, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 2-1808 The State Treasurer is hereby directed to
20 establish and set up in the treasury of the State of Nebraska
21 a fund to be known as the Nebraska Potato Development Fund, to
22 which fund shall be credited, for the uses and purposes of the
23 Nebraska Potato Development Act and its enforcement, all taxes,
24 penalties, and fees collected by the Department of Agriculture.
25 After appropriation, the Director of Administrative Services,

1 upon receipt of proper vouchers approved by the director of the
2 department, shall issue his or her warrants on such funds and the
3 State Treasurer shall pay the same out of the money credited to the
4 fund. Transfers may be made from the fund to the General Fund at
5 the direction of the Legislature. Any money in the ~~fund~~ Nebraska
6 Potato Development Fund available for investment shall be invested
7 by the state investment officer pursuant to the Nebraska Capital
8 Expansion Act and the Nebraska State Funds Investment Act.

9 Sec. 9. Section 2-2317, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 2-2317 The State Treasurer is hereby directed to
12 establish and set up in the treasury of the State of Nebraska a
13 fund to be known as the Nebraska Wheat Development, Utilization,
14 and Marketing Fund, to which fund shall be credited, for the
15 uses and purposes of the Nebraska Wheat Resources Act and its
16 enforcement, all taxes collected by the board pursuant to the
17 act. After appropriation, the Director of Administrative Services
18 shall, upon receipt of proper vouchers approved by an officer of
19 the board, issue his or her warrants on such fund and the State
20 Treasurer shall pay the same out of the money credited to such
21 fund. The board shall at each regular meeting review and approve
22 all expenditures made since its last regular meeting. Transfers
23 may be made from the fund to the General Fund at the direction of
24 the Legislature. Any money in the ~~fund~~ Nebraska Wheat Development,
25 Utilization, and Marketing Fund available for investment shall be

1 invested by the state investment officer pursuant to the Nebraska
2 Capital Expansion Act and the Nebraska State Funds Investment Act.

3 Sec. 10. Section 2-2627, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 2-2627 The Pesticide Administrative Cash Fund is hereby
6 created. The fund shall be used by the department to aid in
7 defraying the expenses of administering the ~~act.~~ Pesticide Act,
8 except that transfers may be made from the fund to the General Fund
9 at the direction of the Legislature. Any money in the Pesticide
10 Administrative Cash Fund available for investment shall be invested
11 by the state investment officer pursuant to the Nebraska Capital
12 Expansion Act and the Nebraska State Funds Investment Act.

13 Sec. 11. Section 2-3413, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 2-3413 (1) The State Treasurer is hereby directed to
16 establish in the treasury of the State of Nebraska a fund to be
17 known as the Nebraska Poultry and Egg Development, Utilization, and
18 Marketing Fund, to which shall be credited all fees collected by
19 the department pursuant to the Nebraska Poultry and Egg Resources
20 Act. After appropriation, the Director of Administrative Services
21 shall, upon receipt of proper vouchers approved by the director,
22 issue warrants on such fund including refund payments authorized
23 by section 2-3409 and the State Treasurer shall pay the warrants
24 out of the money credited to such fund. Transfers may be made from
25 the fund to the General Fund at the direction of the Legislature.

1 Any money in the ~~fund~~ Nebraska Poultry and Egg Development,
2 Utilization, and Marketing Fund available for investment shall be
3 invested by the state investment officer pursuant to the Nebraska
4 Capital Expansion Act and the Nebraska State Funds Investment Act.

5 (2) The department may accept grants, contributions, or
6 other funds from any private or federal, state, or other public
7 source to be used to administer the Nebraska Poultry and Egg
8 Resources Act and to conduct programs under such act.

9 Sec. 12. Section 2-3633, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 2-3633 The State Treasurer is hereby directed to
12 establish and set up in the treasury of the State of Nebraska a
13 fund to be known as the Nebraska Corn Development, Utilization, and
14 Marketing Fund, to which fund shall be credited, for the uses and
15 purposes of the Nebraska Corn Resources Act and its enforcement,
16 all taxes collected by the board pursuant to the act. Such fund
17 shall be expended solely for the administration of the act, except
18 that transfers may be made from the fund to the General Fund at
19 the direction of the Legislature. Any money in the ~~fund~~ Nebraska
20 Corn Development, Utilization, and Marketing Fund available for
21 investment shall be invested by the state investment officer
22 pursuant to the Nebraska Capital Expansion Act and the Nebraska
23 State Funds Investment Act.

24 Sec. 13. Section 2-3763, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 2-3763 The State Treasurer shall establish in the
2 treasury of the State of Nebraska a fund to be known as the Dry
3 Bean Development, Utilization, Promotion, and Education Fund, to
4 which fund shall be credited funds collected by the commission
5 pursuant to the Dry Bean Resources Act. The fund shall be expended
6 for the administration of such act, except that transfers may
7 be made from the fund to the General Fund at the direction of
8 the Legislature. Any money in the ~~fund~~ Dry Bean Development,
9 Utilization, Promotion, and Education Fund available for investment
10 shall be invested by the state investment officer pursuant to
11 the Nebraska Capital Expansion Act and the Nebraska State Funds
12 Investment Act.

13 Sec. 14. Section 2-3812, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 2-3812 There is hereby created the Nebraska Agricultural
16 Products Marketing Cash Fund. The fund shall consist of money
17 appropriated by the Legislature which is received as gifts or
18 grants or collected as fees or charges from any source, including
19 federal, state, public, and private. The fund shall be utilized
20 for the purpose of carrying out the Nebraska Agricultural Products
21 Marketing Act, except that transfers may be made from the fund to
22 the General Fund at the direction of the Legislature. Any money in
23 ~~such fund~~ the Nebraska Agricultural Products Marketing Cash Fund
24 available for investment shall be invested by the state investment
25 officer pursuant to the Nebraska Capital Expansion Act and the

1 Nebraska State Funds Investment Act.

2 Sec. 15. Section 2-4018, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 2-4018 The State Treasurer shall establish in the state
5 treasury a fund to be known as the Grain Sorghum Development,
6 Utilization, and Marketing Fund, to which fund shall be credited
7 all fees collected by the board pursuant to the Grain Sorghum
8 Resources Act. Such fund shall be expended solely for the
9 administration of the act, except that transfers may be made from
10 the fund to the General Fund at the direction of the Legislature.

11 Any money in the ~~fund~~ Grain Sorghum Development, Utilization, and
12 Marketing Fund available for investment shall be invested by the
13 state investment officer pursuant to the Nebraska Capital Expansion
14 Act and the Nebraska State Funds Investment Act.

15 Sec. 16. Section 2-5106, Revised Statutes Supplement,
16 2009, is amended to read:

17 2-5106 The Buffer Strip Incentive Fund is created.
18 Proceeds raised from fees imposed for the registration of
19 pesticides and earmarked for the fund pursuant to section 2-2634,
20 proceeds raised from federal grants earmarked for the fund, and
21 any proceeds raised from public or private donations made to the
22 fund shall be remitted to the State Treasurer for credit to the
23 fund. The fund shall be administered by the department to maintain
24 the buffer strip program and for expenses directly related to
25 the program, including necessary expenses of the department in

1 carrying out its duties and responsibilities under the Buffer
2 Strip Act, except that ~~on July 1, 2009, or as soon thereafter~~
3 ~~as administratively possible, the State Treasurer shall transfer~~
4 ~~five hundred thousand dollars from the Buffer Strip Incentive Fund~~
5 ~~to the Noxious Weed and Invasive Plant Species Assistance Fund.~~
6 transfers may be made from the fund to the General Fund at the
7 direction of the Legislature. The annual cost of administering
8 the buffer strip program shall not exceed ten percent of the
9 total annual proceeds credited to the Buffer Strip Incentive Fund.
10 Such administrative costs shall include funds allocated by the
11 department to the districts for their administrative costs. Any
12 money in the fund available for investment shall be invested by the
13 state investment officer pursuant to the Nebraska Capital Expansion
14 Act and the Nebraska State Funds Investment Act.

15 Sec. 17. Section 3-126, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 3-126 The Department of Aeronautics Cash Fund is created.
18 All money received by the department pursuant to the State
19 Aeronautics Department Act shall be remitted to the State Treasurer
20 for credit to the fund. The department is authorized, whether
21 acting for this state, as the agent of any of its municipalities,
22 or as the agent of any person owning a privately owned public use
23 airport, or when requested by the United States Government or any
24 agency or department thereof, to disburse such money. Transfers
25 may be made from the fund to the General Fund at the direction of

1 the Legislature. Any money in the fund Department of Aeronautics
2 Cash Fund available for investment shall be invested by the state
3 investment officer pursuant to the Nebraska Capital Expansion Act
4 and the Nebraska State Funds Investment Act.

5 Sec. 18. Section 13-2704, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 13-2704 The Local Civic, Cultural, and Convention Center
8 Financing Fund is created. The fund shall be administered by the
9 department. Transfers may be made from the fund to the General Fund
10 at the direction of the Legislature. Any money in the fund Local
11 Civic, Cultural, and Convention Center Financing Fund available
12 for investment shall be invested by the state investment officer
13 pursuant to the Nebraska Capital Expansion Act and the Nebraska
14 State Funds Investment Act. The fund may be used for assistance
15 for the construction of new centers or the renovation or expansion
16 of existing centers. The fund may not be used for planning,
17 programming, marketing, advertising, and related activities.

18 Sec. 19. Section 24-227.01, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 24-227.01 The Supreme Court Automation Cash Fund is
21 created. The State Court Administrator shall administer the fund.
22 The fund shall only be used to support automation expenses of
23 the Supreme Court, Court of Appeals, district courts, separate
24 juvenile courts, county courts, and Nebraska Probation System from
25 the computer automation budget program, except that transfers may

1 be made from the fund to the General Fund at the direction of
2 the Legislature. Any money in the ~~fund~~ Supreme Court Automation
3 Cash Fund available for investment shall be invested by the state
4 investment officer pursuant to the Nebraska Capital Expansion Act
5 and the Nebraska State Funds Investment Act.

6 Sec. 20. Section 24-229, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 24-229 The Counsel for Discipline Cash Fund is created.
9 The fund shall be established within the Nebraska Supreme Court
10 and administered by the State Court Administrator. The fund shall
11 consist of a portion of the annual membership dues assessed by
12 the Nebraska State Bar Association and remitted to the Nebraska
13 Supreme Court for credit to the fund. The fund shall only be used
14 to pay the costs associated with the operation of the Office of
15 the Counsel for Discipline, except that transfers may be made from
16 the fund to the General Fund at the direction of the Legislature.
17 Any money in the ~~fund~~ Counsel for Discipline Cash Fund available
18 for investment shall be invested by the state investment officer
19 pursuant to the Nebraska Capital Expansion Act and the Nebraska
20 State Funds Investment Act.

21 Sec. 21. Section 25-2921, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 25-2921 The Dispute Resolution Cash Fund is created.
24 The State Court Administrator shall administer the fund. The fund
25 shall consist of proceeds received pursuant to subdivision (10)

1 of section 25-2908 and section 33-155. The fund shall be used to
2 supplement the administration of the office and the support of the
3 approved centers, except that transfers may be made from the fund
4 to the General Fund at the direction of the Legislature. It is the
5 intent of the Legislature that any General Fund money supplanted by
6 the Dispute Resolution Cash Fund may be used for the support and
7 maintenance of the State Library. Any money in the fund available
8 for investment shall be invested by the state investment officer
9 pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 Sec. 22. Section 25-3002, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 25-3002 The Legal Aid and Services Fund is created. Money
14 in the fund shall be used to provide civil legal services to
15 eligible low-income persons, except that transfers may be made from
16 the fund to the General Fund at the direction of the Legislature.
17 The Commission on Public Advocacy shall distribute all money in
18 the ~~fund~~ Legal Aid and Services Fund periodically in the form of
19 grants to service providers of civil legal services to eligible
20 low-income persons as determined by the commission pursuant to
21 section 25-3004. Any money in the fund available for investment
22 shall be invested by the state investment officer pursuant to
23 the Nebraska Capital Expansion Act and the Nebraska State Funds
24 Investment Act. Any money left in the Legal Aid and Services Fund
25 on December 31 of any year shall be distributed in the following

1 year.

2 Sec. 23. Section 29-2259.02, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 29-2259.02 The State Probation Contractual Services Cash
5 Fund is created. The fund shall consist only of payments received
6 by the state pursuant to contractual agreements with local
7 political subdivisions for probation services provided by the
8 Office of Probation Administration. The fund shall only be used
9 to pay for probation services provided by the Office of Probation
10 Administration to local political subdivisions which enter into
11 contractual agreements with the Office of Probation Administration,
12 except that transfers may be made from the fund to the General Fund
13 at the direction of the Legislature. The ~~fund~~ State Probation
14 Contractual Services Cash Fund shall be administered by the
15 probation administrator. Any money in the fund available for
16 investment shall be invested by the state investment officer
17 pursuant to the Nebraska Capital Expansion Act and the Nebraska
18 State Funds Investment Act.

19 Sec. 24. Section 29-2262.07, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 29-2262.07 The Probation Program Cash Fund is created.
22 All funds collected pursuant to section 29-2262.06 shall be
23 remitted to the State Treasurer for credit to the fund. The
24 fund shall be utilized by the administrator, in consultation with
25 the Community Corrections Council, for the purposes stated in

1 subdivision (14) of section 29-2252, except that transfers may be
2 made from the fund to the General Fund at the direction of the
3 Legislature. Any money in the ~~fund~~ Probation Program Cash Fund
4 available for investment shall be invested by the state investment
5 officer pursuant to the Nebraska Capital Expansion Act and the
6 Nebraska State Funds Investment Act.

7 Sec. 25. Section 29-3921, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 29-3921 The Commission on Public Advocacy Operations Cash
10 Fund is created. The fund shall be used for the operations of
11 the commission, except that transfers may be made from the fund
12 to the General Fund at the direction of the Legislature. The ~~fund~~
13 Commission on Public Advocacy Operations Cash Fund shall consist
14 of money remitted pursuant to section 33-156. It is the intent of
15 the Legislature that the commission shall be funded solely from
16 the fund. Any money in the fund available for investment shall be
17 invested by the state investment officer pursuant to the Nebraska
18 Capital Expansion Act and the Nebraska State Funds Investment Act.

19 The State Treasurer shall transfer two hundred fifty
20 thousand dollars from the Commission on Public Advocacy Operations
21 Cash Fund to the University Cash Fund within fifteen days after
22 May 1, 2008. Such funds shall be used for a study of the
23 juvenile legal defense and guardian ad litem systems utilizing
24 the University of Nebraska Public Policy Center to create,
25 administer, and review a Request for Proposals to select from

1 a national search a research consultant that is qualified to
2 provide a methodologically sound and objective assessment of
3 Nebraska's juvenile justice system. The assessment shall include:
4 (1) Gathering of general data and information about the structure
5 and funding mechanisms for juvenile legal defense and guardian ad
6 litem representation; (2) a review of caseloads; (3) examining
7 issues related to the timing of appointment of counsel and
8 guardians ad litem; (4) supervision of attorneys; (5) charging
9 and trying juveniles as adults; (6) frequency with which juveniles
10 waive their right to counsel and under what conditions they do
11 so; (7) allocation of resources; (8) adequacy of juvenile court
12 facilities; (9) compensation of attorneys; (10) supervising and
13 training of attorneys; (11) access to investigators, experts,
14 social workers, and support staff; (12) access to educational
15 officers, teachers, educational staff, and truancy officers; (13)
16 the relationship between a guardian ad litem, a juvenile's legal
17 counsel, and the judicial system with identified educational
18 staff regarding a juvenile's educational status; (14) examining
19 issues related to truancy and the relationship between the school
20 districts and the juvenile court system; (15) recidivism; (16) time
21 to permanency and time in court, especially when a guardian ad
22 litem is appointed; and (17) coordination of representation for
23 those juveniles that may have been appointed an attorney in a
24 juvenile delinquency matter and a guardian ad litem because of
25 abuse or neglect. The assessment shall also highlight promising

1 approaches and innovative practices within the state and offer
2 recommendations to improve weak areas.

3 Sec. 26. Section 33-102, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 33-102 The Secretary of State shall be entitled to,
6 for receiving, affixing the great seal to, and forwarding the
7 commission of a notary public, the sum of fifteen dollars and the
8 additional sum of fifteen dollars for filing and approving the bond
9 of a notary public. The Secretary of State shall be entitled to the
10 sum of fifteen dollars for receiving a renewal application pursuant
11 to section 64-104.

12 The fees received by the Secretary of State pursuant to
13 this section shall be remitted to the State Treasurer for credit
14 seventy-five percent to the General Fund and twenty-five percent to
15 the Administration Cash Fund which is hereby created. Transfers may
16 be made from the fund to the General Fund at the direction of the
17 Legislature. Any money in the Administration Cash Fund available
18 for investment shall be invested by the state investment officer
19 pursuant to the Nebraska Capital Expansion Act and the Nebraska
20 State Funds Investment Act.

21 Sec. 27. Section 35-1203, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 35-1203 The Mutual Finance Assistance Fund is created.
24 The fund shall be used to provide assistance to rural or suburban
25 fire protection districts and mutual finance organizations which

1 qualify under the Mutual Finance Assistance Act, except that
2 transfers may be made from the fund to the General Fund at the
3 direction of the Legislature. Any money in the ~~fund~~ Mutual Finance
4 Assistance Fund available for investment shall be invested by the
5 state investment officer pursuant to the Nebraska Capital Expansion
6 Act and the Nebraska State Funds Investment Act.

7 Sec. 28. Section 37-345, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 37-345 (1) The commission may establish and collect
10 reasonable fees for the use of state park-operated facilities
11 of a personal-service nature, such as cabins, camps, swimming
12 facilities, boats, and other equipment or services of a similar
13 nature. The commission, in its sole discretion, may grant
14 concessions in state park areas for the provisions of certain
15 appropriate services to the public, may grant permits for certain
16 land or other resource utilization commensurate with the purposes
17 of sections 37-337 to 37-348, and may prescribe and collect
18 appropriate fees or rentals therefor.

19 (2) The proceeds of all such fees, rentals, or other
20 revenue from operated facilities, concessions, or permits shall
21 be credited to the State Park Cash Revolving Fund, which fund is
22 hereby created in the state treasury, and shall be used by the
23 commission solely for the improvement, maintenance, and operation
24 of the state parks, except that transfers may be made from the fund
25 to the General Fund at the direction of the Legislature. Any money

1 in the ~~fund~~ State Park Cash Revolving Fund available for investment
2 shall be invested by the state investment officer pursuant to
3 the Nebraska Capital Expansion Act and the Nebraska State Funds
4 Investment Act.

5 Sec. 29. Section 38-157, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 38-157 (1) The Professional and Occupational
8 Credentialing Cash Fund is created. Except as provided in
9 section 71-17,113, the fund shall consist of all fees, gifts,
10 grants, and other money, excluding fines and civil penalties,
11 received or collected by the department under sections 38-151 to
12 38-156.

13 (2) The department shall use the fund for the
14 administration and enforcement of such laws regulating the
15 individuals and businesses listed in section 38-121 except for
16 a percentage of the fees credited to the Nebraska Regulation of
17 Health Professions Fund pursuant to section 71-6228. Transfers may
18 be made from the Professional and Occupational Credentialing Cash
19 Fund to the General Fund at the direction of the Legislature.

20 (3) Any money in the Professional and Occupational
21 Credentialing Cash Fund available for investment shall be invested
22 by the state investment officer pursuant to the Nebraska Capital
23 Expansion Act and the Nebraska State Funds Investment Act.

24 ~~(4) Any money in the Licensee Assistance Cash Fund on~~
25 ~~December 1, 2008, shall be transferred to the Professional and~~

1 ~~Occupational Credentialing Cash Fund.~~

2 Sec. 30. Section 46-1121, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 46-1121 (1) The fee for initial application for a permit
5 or special permit shall be thirty dollars payable to the district.
6 Twenty-five dollars of the fee shall be retained by the district
7 and five dollars paid by the district to the department.

8 The annual fee for renewal of a permit or special permit
9 shall be ten dollars paid to the district. Two dollars of the
10 annual fee shall be paid by the district to the department.

11 All fees shall be used by the district and the department
12 to administer the Nebraska Chemigation Act. The department's fee
13 shall be credited to the Chemigation Costs Fund which is hereby
14 created. All fees collected by the department pursuant to the act
15 shall be remitted to the State Treasurer for credit to the fund.
16 Transfers may be made from the fund to the General Fund at the
17 direction of the Legislature. Any money in the fund Chemigation
18 Costs Fund available for investment shall be invested by the state
19 investment officer pursuant to the Nebraska Capital Expansion Act
20 and the Nebraska State Funds Investment Act.

21 (2) All permits issued pursuant to sections 46-1117 and
22 46-1117.01 shall be annual permits and shall expire each year
23 on June 1. A permit may be renewed each year upon payment of
24 the annual renewal fee and completion of a form provided by the
25 district which lists the names of all chemicals used in chemigation

1 the previous year. Once a permit has expired, it shall not be
2 reinstated without meeting all of the requirements for a new permit
3 including an inspection and payment of the initial application fee.

4 Sec. 31. Section 46-1403, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 46-1403 There is hereby created the Water Well
7 Decommissioning Fund. The State Treasurer shall credit to the fund
8 for the uses and purposes of sections 46-1401 to 46-1405 such money
9 as is specifically appropriated and such funds, fees, donations,
10 gifts, services, or devises or bequests of real or personal
11 property received by the Department of Natural Resources from any
12 source, federal, state, public, or private, to be used by the
13 department for the purpose of accelerating the decommissioning of
14 illegal water wells. The department shall allocate money from the
15 fund for purposes of sections 46-1401 to 46-1405. The fund shall
16 be exempt from provisions relating to lapsing of appropriations.
17 Transfers may be made from the fund to the General Fund at the
18 direction of the Legislature. Any money in the fund Water Well
19 Decommissioning Fund available for investment shall be invested
20 by the state investment officer pursuant to the Nebraska Capital
21 Expansion Act and the Nebraska State Funds Investment Act.

22 Sec. 32. Section 47-632, Revised Statutes Supplement,
23 2009, is amended to read:

24 47-632 (1) The Community Corrections Uniform Data
25 Analysis Cash Fund is created. Except as provided in subsection (2)

1 of this section, the fund shall be established for administrative
2 purposes only within the Nebraska Commission on Law Enforcement
3 and Criminal Justice, shall be administered by the executive
4 director of the Community Corrections Council, and shall only
5 be used to support operations costs and analysis relating to
6 the implementation and coordination of the uniform analysis of
7 crime data pursuant to the Community Corrections Act, including
8 associated information technology projects, as specifically
9 approved by the executive director of the Community Corrections
10 Council. The fund shall consist of money collected pursuant to
11 section 47-633.

12 ~~(2) On May 28, 2009, the State Treasurer shall transfer~~
13 ~~three hundred fifty thousand dollars from the Community Corrections~~
14 ~~Uniform Data Analysis Cash Fund to the Violence Prevention Cash~~
15 ~~Fund.~~

16 (2) Transfers may be made from the fund to the General
17 Fund at the direction of the Legislature.

18 (3) Any money in the Community Corrections Uniform Data
19 Analysis Cash Fund available for investment shall be invested
20 by the state investment officer pursuant to the Nebraska Capital
21 Expansion Act and the Nebraska State Funds Investment Act.

22 Sec. 33. Section 48-1,116, Revised Statutes Cumulative
23 Supplement, 2008, is amended to read:

24 48-1,116 The Compensation Court Cash Fund is hereby
25 created. The fund shall be used to aid in providing for the

1 expense of administering the Nebraska Workers' Compensation Act and
2 the payment of the salaries and expenses of the personnel of the
3 Nebraska Workers' Compensation Court, except that transfers may be
4 made from the fund to the General Fund at the direction of the
5 Legislature.

6 All fees received pursuant to sections 48-120, 48-120.02,
7 48-138, 48-139, 48-145.04, and 48-165 shall be remitted to the
8 State Treasurer for credit to the Compensation Court Cash Fund. The
9 fund shall also consist of amounts credited to the fund pursuant
10 to sections 48-1,113, 48-1,114, and 77-912. The State Treasurer may
11 receive and credit to the fund any money which may at any time be
12 contributed to the state or the fund by the federal government or
13 any agency thereof to which the state may be or become entitled
14 under any act of Congress or otherwise by reason of any payment
15 made from the fund.

16 Any money in the fund available for investment shall be
17 invested by the state investment officer pursuant to the Nebraska
18 Capital Expansion Act and the Nebraska State Funds Investment Act.

19 Sec. 34. Section 49-14,140, Revised Statutes Cumulative
20 Supplement, 2008, is amended to read:

21 49-14,140 The Nebraska Accountability and Disclosure
22 Commission Cash Fund is hereby created. The fund shall consist of
23 funds received by the commission pursuant to sections 49-1449.01,
24 49-1470, 49-1480.01, 49-1482, 49-1495, 49-14,123, and 49-14,123.01.
25 The fund shall not include late filing fees or civil penalties

1 assessed and collected by the commission. The fund shall be
2 used by the commission in administering the Nebraska Political
3 Accountability and Disclosure Act, except that transfers may be
4 made from the fund to the General Fund at the direction of the
5 Legislature. Any money in the ~~fund~~ Nebraska Accountability and
6 Disclosure Commission Cash Fund available for investment shall be
7 invested by the state investment officer pursuant to the Nebraska
8 Capital Expansion Act and the Nebraska State Funds Investment Act.

9 Sec. 35. Section 50-114.05, Revised Statutes Cumulative
10 Supplement, 2008, is amended to read:

11 50-114.05 The Clerk of the Legislature Cash Fund is
12 hereby created. The fund shall consist of funds received by the
13 Clerk of the Legislature pursuant to sections 49-1480.01 and
14 49-1482. The fund shall be used by the Clerk of the Legislature
15 to perform the duties required by sections 49-1480 to 49-1492.01,
16 except that transfers may be made from the fund to the General Fund
17 at the direction of the Legislature. Any money in the ~~fund~~ Clerk
18 of the Legislature Cash Fund available for investment shall be
19 invested by the state investment officer pursuant to the Nebraska
20 Capital Expansion Act and the Nebraska State Funds Investment Act.

21 Sec. 36. Section 50-437, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 50-437 There is hereby created the Nebraska Legislative
24 Shared Information System Cash Fund, which fund shall consist of
25 fees received from services provided by the Legislature. Transfers

1 may be made from the fund to the General Fund at the direction of
2 the Legislature. Any money in the fund Nebraska Legislative Shared
3 Information System Cash Fund available for investment shall be
4 invested by the state investment officer pursuant to the Nebraska
5 Capital Expansion Act and the Nebraska State Funds Investment Act.

6 Sec. 37. Section 53-117.06, Revised Statutes Cumulative
7 Supplement, 2008, is amended to read:

8 53-117.06 Any money collected by the commission pursuant
9 to section 53-117.05 or 53-167.02 shall be credited to the
10 Nebraska Liquor Control Commission Rule and Regulation Cash Fund,
11 which fund is hereby created. The purpose of the fund shall
12 be to cover any costs incurred by the commission in producing
13 or distributing the material referred to in such sections
14 and to defray the costs associated with electronic regulatory
15 transactions, industry education events, enforcement training, and
16 equipment for regulatory work. Transfers may be made from the fund
17 to the General Fund at the direction of the Legislature. Any money
18 in the fund Nebraska Liquor Control Commission Rule and Regulation
19 Cash Fund available for investment shall be invested by the state
20 investment officer pursuant to the Nebraska Capital Expansion Act
21 and the Nebraska State Funds Investment Act.

22 Sec. 38. Section 53-304, Revised Statutes Cumulative
23 Supplement, 2008, is amended to read:

24 53-304 Each Nebraska winery shall pay to the Nebraska
25 Liquor Control Commission twenty dollars for every one hundred

1 sixty gallons of juice produced or received by its facility.
2 Gifts, grants, or bequests may be received for the support of
3 the Nebraska Grape and Winery Board. Funds paid pursuant to the
4 charge imposed by this section and funds received pursuant to
5 subsection (4) of section 53-123.15 and from gifts, grants, or
6 bequests shall be remitted to the State Treasurer for credit to
7 the Winery and Grape Producers Promotional Fund which is hereby
8 created. For administrative purposes, the fund shall be located in
9 the Department of Agriculture. All revenue credited to the fund
10 pursuant to the charge imposed by this section and excise taxes
11 collected pursuant to section 2-5603 and any funds received as
12 gifts, grants, or bequests and credited to the fund shall be used
13 by the department, at the direction of and in cooperation with
14 the board, to develop and maintain programs for the research and
15 advancement of the growing, selling, marketing, and promotion of
16 grapes, fruits, berries, honey, and other agricultural products and
17 their byproducts grown and produced in Nebraska for use in the wine
18 industry. Such expenditures may include, but are not limited to,
19 all necessary funding for the employment of experts in the fields
20 of viticulture and enology, as deemed necessary by the board,
21 and programs aimed at improving the promotion of all varieties
22 of wines, grapes, fruits, berries, honey, and other agricultural
23 products and their byproducts grown and produced in Nebraska for
24 use in the wine industry.

25 Funds credited to the fund shall be used for no other

1 purposes than those stated in this section and any transfers
2 authorized pursuant to section 2-5604, except that transfers may
3 be made from the fund to the General Fund at the direction of the
4 Legislature. Any funds not expended during a fiscal year may be
5 maintained in the ~~fund~~ Winery and Grape Producers Promotional Fund
6 for distribution or expenditure during subsequent fiscal years. Any
7 money in the fund available for investment shall be invested by the
8 state investment officer pursuant to the Nebraska Capital Expansion
9 Act and the Nebraska State Funds Investment Act.

10 Sec. 39. Section 54-197, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 54-197 The Nebraska Brand Inspection and Theft Prevention
13 Fund is created. Fees and money collected pursuant to the Livestock
14 Brand Act not otherwise provided for in the act shall be remitted
15 to the State Treasurer for credit to the fund. The fund shall
16 be used by the Nebraska Brand Committee in the administration and
17 enforcement of the act and section 54-415, except that transfers
18 may be made from the fund to the General Fund at the direction of
19 the Legislature. All expenses and salaries provided for under such
20 act or incurred by reason thereof shall be paid out of the ~~fund~~.
21 Nebraska Brand Inspection and Theft Prevention Fund. Any money in
22 the fund available for investment shall be invested by the state
23 investment officer pursuant to the Nebraska Capital Expansion Act
24 and the Nebraska State Funds Investment Act.

25 Sec. 40. Section 54-635, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 54-635 The Commercial Dog and Cat Operator Inspection
3 Program Cash Fund is created and shall consist of money
4 appropriated by the Legislature, gifts, grants, costs, or charges
5 from any source, including federal, state, public, and private
6 sources. The money shall be used to carry out the Commercial Dog
7 and Cat Operator Inspection Act, except that transfers may be
8 made from the fund to the General Fund at the direction of the
9 Legislature. Any money in the ~~fund~~ Commercial Dog and Cat Operator
10 Inspection Program Cash Fund available for investment shall be
11 invested by the state investment officer pursuant to the Nebraska
12 Capital Expansion Act and the Nebraska State Funds Investment Act.

13 Sec. 41. Section 54-857, Revised Statutes Cumulative
14 Supplement, 2008, is amended to read:

15 54-857 All money received pursuant to the Commercial Feed
16 Act shall be remitted by the director to the State Treasurer for
17 credit to the Commercial Feed Administration Cash Fund which is
18 hereby created. Such fund shall be used by the department to aid
19 in defraying the expenses of administering the act, except that
20 transfers may be made from the fund to the General Fund at the
21 direction of the Legislature. Any money in the ~~fund~~ Commercial Feed
22 Administration Cash Fund available for investment shall be invested
23 by the state investment officer pursuant to the Nebraska Capital
24 Expansion Act and the Nebraska State Funds Investment Act.

25 ~~On or before October 1, 2008, the State Treasurer shall~~

1 ~~transfer two hundred fifty thousand dollars from the Commercial~~
2 ~~Feed Administration Cash Fund to the Noxious Weed and Invasive~~
3 ~~Plant Species Assistance Fund.~~

4 Sec. 42. Section 54-2428, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 54-2428 (1) Any person required to obtain a National
7 Pollutant Discharge Elimination System permit for an animal
8 feeding operation or a construction and operating permit for
9 a livestock waste control facility shall file an application
10 with the department accompanied by the appropriate fees in the
11 manner established by the department. The application fee shall
12 be established by the council with a maximum fee of two hundred
13 dollars. For major modifications to an application or a permit, the
14 fee shall equal the amount of the application fee.

15 (2) On or before March 1, 2006, and each year thereafter,
16 each person who has a National Pollutant Discharge Elimination
17 System permit or who has a large concentrated animal feeding
18 operation, as defined in 40 C.F.R. 122 and 123, as such regulations
19 existed on January 1, 2004, and a state operating permit, a
20 construction and operating permit, or a construction approval
21 issued pursuant to the Environmental Protection Act or the
22 Livestock Waste Management Act shall pay a per head annual fee
23 based on the permitted capacity identified in the permit for that
24 facility. The department shall invoice each permittee by February
25 1, 2006, and February 1 of each year thereafter.

1 (3) The initial annual fee shall be: Beef cattle, ten
2 cents per head; veal calves, ten cents per head; dairy cows,
3 fifteen cents per head; swine larger than fifty-five pounds, four
4 dollars per one hundred head or fraction thereof; swine less than
5 fifty pounds, one dollar per one hundred head or fraction thereof;
6 horses, twenty cents per head; sheep or lambs, one dollar per one
7 hundred head or fraction thereof; turkeys, two dollars per one
8 thousand head or fraction thereof; chickens or ducks with liquid
9 manure facility, three dollars per one thousand head or fraction
10 thereof; and chickens or ducks with other than liquid manure
11 facility, one dollar per one thousand head or fraction thereof.
12 This fee structure may be reviewed in fiscal year 2007-08.

13 (4) Beginning in fiscal year 2007-08, the department
14 shall annually review and adjust the fee structure in this section
15 and section 54-2423 to ensure that fees are adequate to meet twenty
16 percent of the program costs from the previous fiscal year. All
17 fees collected under this section and sections 54-2423, 54-2435,
18 and 54-2436 shall be remitted to the State Treasurer for credit to
19 the Livestock Waste Management Cash Fund which is created for the
20 purposes described in the Livestock Waste Management Act. Transfers
21 may be made from the fund to the General Fund at the direction of
22 the Legislature. Any money in the fund Livestock Waste Management
23 Cash Fund available for investment shall be invested by the state
24 investment officer pursuant to the Nebraska Capital Expansion Act
25 and the Nebraska State Funds Investment Act.

1 (5) On or before January 1 of each year, the department
2 shall submit a report to the Legislature in sufficient detail to
3 document all direct and indirect costs incurred in the previous
4 fiscal year in carrying out the Livestock Waste Management Act,
5 including the number of inspections conducted, the number of animal
6 feeding operations with livestock waste control facilities, the
7 number of animal feeding operations inspected, the size of the
8 livestock waste control facilities, the results of water quality
9 monitoring programs, and other elements relating to carrying out
10 the act. The Appropriations Committee of the Legislature shall
11 review the report in its analysis of executive programs in order
12 to verify that the revenue generated from fees was used solely to
13 offset appropriate and reasonable costs associated with carrying
14 out the act.

15 Sec. 43. Section 55-131, Revised Statutes Cumulative
16 Supplement, 2008, is amended to read:

17 55-131 The Military Department Cash Fund is created. The
18 fund shall be administered by the Adjutant General. The fund shall
19 consist of all nonfederal revenue received by the National Guard
20 pursuant to this section. The Adjutant General is hereby authorized
21 to accept by devise, gift, or otherwise and hold, as trustee, for
22 the benefit and use of the National Guard or any part thereof any
23 property, real or personal; to invest and reinvest the property;
24 to collect, receive, and recover the rents, incomes, and issues
25 from the property; and to expend them as provided by the terms

1 of the devise or gift, or if not so provided, to expend them for
2 the benefit and use of the National Guard as he or she in his
3 or her discretion shall determine, subject to the approval of the
4 Governor. Except as otherwise provided by law, all other money
5 received by the National Guard and derived from any other source
6 shall be remitted to the State Treasurer for credit to the Military
7 Department Cash Fund. Transfers may be made from the fund to the
8 General Fund at the direction of the Legislature. Any money in
9 the fund Military Department Cash Fund available for investment
10 shall be invested by the state investment officer pursuant to
11 the Nebraska Capital Expansion Act and the Nebraska State Funds
12 Investment Act.

13 Sec. 44. Section 57-705, Revised Statutes Supplement,
14 2009, is amended to read:

15 57-705 (1) All severance taxes levied by Chapter 57,
16 article 7, shall be paid to the Tax Commissioner. He or she shall
17 remit all such money received to the State Treasurer. All such
18 money received by the State Treasurer shall be credited to a
19 fund to be known as the Severance Tax Fund. An amount equal to
20 one percent of the gross severance tax receipts, excluding those
21 receipts from tax derived from oil and natural gas severed from
22 school lands, credited to the fund shall be credited by the State
23 Treasurer, upon the first day of each month, and shall inure to
24 the Severance Tax Administration Fund to be used for the expenses
25 of administering Chapter 57, article 7. Transfers may be made from

1 the Severance Tax Administration Fund to the General Fund at the
2 direction of the Legislature. The balance of the Severance Tax
3 Fund received from school lands shall be credited by the State
4 Treasurer, upon the first day of each month, and shall inure to the
5 permanent school fund.

6 (2) Of the balance of the Severance Tax Fund received
7 from other than school lands (a) the Legislature may transfer
8 an amount to be determined by the Legislature through the
9 appropriations process up to three hundred thousand dollars for
10 each year to the State Energy Office Cash Fund, (b) the Legislature
11 may transfer an amount to be determined by the Legislature through
12 the appropriations process up to thirty thousand dollars for
13 each year to the Public Service Commission for administration of
14 the Municipal Rate Negotiations Revolving Loan Fund, and (c) the
15 remainder shall be credited and inure to the permanent school fund.

16 (3) The State Treasurer shall transfer two hundred fifty
17 thousand dollars from the Severance Tax Administration Fund to the
18 Department of Revenue Enforcement Fund on July 1, 2009, or as soon
19 thereafter as administratively possible. The State Treasurer shall
20 transfer two hundred fifty thousand dollars from the Severance
21 Tax Administration Fund to the Department of Revenue Enforcement
22 Fund on July 1, 2010, or as soon thereafter as administratively
23 possible.

24 Sec. 45. Section 57-919, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 57-919 (1) All money collected by the Tax Commissioner
2 or the commission or as civil penalties under sections 57-901 to
3 57-921 shall be remitted to the State Treasurer for credit to a
4 special fund to be known as the Oil and Gas Conservation Fund.
5 Expenses incident to the administration of such sections shall be
6 paid out of the fund. Transfers may be made from the fund to the
7 General Fund at the direction of the Legislature. Any money in
8 the ~~fund~~ Oil and Gas Conservation Fund available for investment
9 shall be invested by the state investment officer pursuant to
10 the Nebraska Capital Expansion Act and the Nebraska State Funds
11 Investment Act.

12 (2) There is hereby levied and assessed on the value
13 at the well of all oil and gas produced, saved, and sold or
14 transported from the premises in Nebraska where produced a charge
15 not to exceed fifteen mills on the dollar. The commission shall
16 by order fix the amount of such charge in the first instance and
17 may, from time to time, reduce or increase the amount thereof as
18 in its judgment the expenses chargeable against the Oil and Gas
19 Conservation Fund may require, except that the amounts fixed by the
20 commission shall not exceed the limit prescribed in this section.
21 It shall be the duty of the Tax Commissioner to make collection
22 of such assessments. The persons owning an interest, a working
23 interest, a royalty interest, payments out of production, or any
24 other interest in the oil and gas, or in the proceeds thereof,
25 subject to the charge provided for in this section shall be liable

1 to the producer for such charge in proportion to their ownership
2 at the time of production. The producer shall, on or before the
3 last day of the month next succeeding the month in which the charge
4 was assessed, file a report or return in such form as prescribed
5 by the commission and Tax Commissioner together with all charges
6 due. In the event of a sale of oil or gas within this state,
7 the first purchaser shall file this report or return together
8 with any charges then due. If the final filing date falls on a
9 Saturday, Sunday, or legal holiday, the next secular or business
10 day shall be the final filing date. Such reports or returns shall
11 be considered filed on time if postmarked before midnight of the
12 final filing date. Any such charge not paid within the time herein
13 specified shall bear interest at the rate specified in section
14 45-104.02, as such rate may from time to time be adjusted, from the
15 date of delinquency until paid, and such charge together with the
16 interest shall be a lien as provided in section 57-702. The Tax
17 Commissioner shall charge and collect a penalty for the delinquency
18 in the amount of one percent of the charge for each month or part
19 of the month that the charge has remained delinquent, but in no
20 event shall the penalty be more than twenty-five percent of the
21 charge. The Tax Commissioner may waive all or part of the penalty
22 provided in this section but shall not waive the interest. The
23 person remitting the charge as provided in this section is hereby
24 authorized, empowered, and required to deduct from any amounts
25 due the persons owning an interest in the oil and gas or in

1 the proceeds thereof at the time of production the proportionate
2 amount of such charge before making payment to such persons. This
3 subsection shall apply to all lands in the State of Nebraska,
4 anything in section 57-920 to the contrary notwithstanding, except
5 that there shall be exempted from the charge levied and assessed
6 in this section the following: (a) The interest of the United
7 States of America and the interest of the State of Nebraska and
8 the political subdivisions thereof in any oil or gas or in the
9 proceeds thereof; (b) the interest of any Indian or Indian tribe
10 in any oil or gas or in the proceeds thereof produced from land
11 subject to the supervision of the United States; and (c) oil and
12 gas used in producing operations or for repressuring or recycling
13 purposes. All money so collected shall be remitted to the State
14 Treasurer for credit to the Oil and Gas Conservation Fund and
15 shall be used exclusively to pay the costs and expenses incurred
16 in connection with the administration and enforcement of sections
17 57-901 to 57-921.

18 Sec. 46. Section 59-1608.04, Revised Statutes Cumulative
19 Supplement, 2008, is amended to read:

20 59-1608.04 The State Settlement Cash Fund is created.
21 The fund shall be maintained by the Department of Justice and
22 administered by the Attorney General. Except as otherwise provided
23 by law, the fund shall consist of all recoveries received pursuant
24 to the Consumer Protection Act, including any money, funds,
25 securities, or other things of value in the nature of civil

1 damages or other payment, except criminal penalties, whether such
2 recovery is by way of verdict, judgment, compromise, or settlement
3 in or out of court, or other final disposition of any case or
4 controversy, or any other payments received on behalf of the state
5 by the Department of Justice and administered by the Attorney
6 General for the benefit of the state or the general welfare of its
7 citizens, but excluding all funds held in a trust capacity where
8 specific benefits accrue to specific individuals, organizations,
9 or governments. All money in the fund shall be subject to
10 legislative review and shall be appropriated and expended for
11 any allowable legal purposes as determined by the Legislature.
12 The fund shall only be appropriated to a separate and distinct
13 budget program and such appropriations shall only be expended
14 from a separate and distinct budget subprogram and shall not be
15 commingled with any other revenue or expenditure. Transfers may
16 be made from the fund to the General Fund at the direction of
17 the Legislature. To provide necessary financial accountability and
18 management oversight, revenue from individual settlement agreements
19 or other separate sources credited to the ~~fund~~ State Settlement
20 Cash Fund may be tracked and accounted for within the state
21 accounting system through the use of separate and distinct funds,
22 subfunds, or any other available accounting mechanism specifically
23 approved by the Accounting Administrator for use by the Department
24 of Justice. Any money in the fund available for investment shall be
25 invested by the state investment officer pursuant to the Nebraska

1 Capital Expansion Act and the Nebraska State Funds Investment Act.

2 Sec. 47. Section 60-3,218, Revised Statutes Cumulative
3 Supplement, 2008, is amended to read:

4 60-3,218 (1) There is hereby created the Nebraska
5 Snowmobile Trail Cash Fund into which shall be deposited the
6 portion of the fees collected from snowmobile registration as
7 provided in section 60-3,217.

8 (2) The Game and Parks Commission shall use the money
9 in the Nebraska Snowmobile Trail Cash Fund for the operation,
10 maintenance, enforcement, planning, establishment, and marking of
11 snowmobile trails throughout the state and for the acquisition by
12 purchase or lease of real property to carry out the provisions of
13 this section.

14 (3) The commission shall establish rules and regulations
15 pertaining to the use and maintenance of snowmobile trails.

16 (4) Transfers may be made from the Nebraska Snowmobile
17 Trail Cash Fund to the General Fund at the direction of the
18 Legislature. Any money in the Nebraska Snowmobile Trail Cash Fund
19 available for investment shall be invested by the state investment
20 officer pursuant to the Nebraska Capital Expansion Act and the
21 Nebraska State Funds Investment Act.

22 Sec. 48. Section 60-2132, Revised Statutes Supplement,
23 2009, is amended to read:

24 60-2132 There is hereby created a Motorcycle Safety
25 Education Fund in the state treasury which shall consist of money

1 transferred pursuant to sections 39-2215 and 60-4,115 and such
2 money as may be appropriated by the Legislature. The fund shall
3 be administered by the department. The fund shall be used for the
4 administration of the Motorcycle Safety Education Act, to reimburse
5 approved schools, businesses, or organizations for conducting
6 approved basic motorcycle safety courses, to provide educational
7 assistance, to prepare sites for offering the basic motorcycle
8 safety course, to reimburse approved schools, businesses, or
9 organizations for conducting approved advanced motorcycle safety
10 courses, and to promote motorcycle safety, except that transfers
11 may be made from the fund to the General Fund at the direction of
12 the Legislature. Any money in the ~~fund~~ Motorcycle Safety Education
13 Fund available for investment shall be invested by the state
14 investment officer pursuant to the Nebraska Capital Expansion Act
15 and the Nebraska State Funds Investment Act.

16 Sec. 49. Section 61-210, Revised Statutes Cumulative
17 Supplement, 2008, is amended to read:

18 61-210 The Department of Natural Resources Cash Fund
19 is created. The State Treasurer shall credit to such fund such
20 money as is specifically appropriated or reappropriated by the
21 Legislature. The State Treasurer shall also credit such fund with
22 payments, if any, accepted for services rendered by the department
23 and fees collected pursuant to subsection (6) of section 46-606
24 and section 61-209. The funds made available to the Department
25 of Natural Resources by the United States, through the Natural

1 Resources Conservation Service of the Department of Agriculture or
2 through any other agencies, shall be credited to the fund by the
3 State Treasurer. Any money in the fund available for investment
4 shall be invested by the state investment officer pursuant to
5 the Nebraska Capital Expansion Act and the Nebraska State Funds
6 Investment Act. The Department of Natural Resources shall allocate
7 money from the fund to pay costs of the programs or activities
8 of the department. The Director of Administrative Services, upon
9 receipt of proper vouchers approved by the department, shall issue
10 warrants on the fund, and the State Treasurer shall countersign and
11 pay from, but never in excess of, the amounts to the credit of the
12 fund. Transfers may be made from the fund to the General Fund at
13 the direction of the Legislature.

14 Sec. 50. Section 61-218, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 61-218 (1) The Water Resources Cash Fund is created. The
17 fund shall be administered by the Department of Natural Resources.
18 Transfers may be made from the fund to the General Fund at the
19 direction of the Legislature. Any money in the fund Water Resources
20 Cash Fund available for investment shall be invested by the state
21 investment officer pursuant to the Nebraska Capital Expansion Act
22 and the Nebraska State Funds Investment Act.

23 (2) The State Treasurer shall credit to the fund such
24 money as is (a) transferred to the fund by the Legislature, (b)
25 paid to the state as fees, deposits, payments, and repayments

1 relating to the fund, both principal and interest, (c) donated as
2 gifts, bequests, or other contributions to such fund from public or
3 private entities, (d) made available by any department or agency of
4 the United States if so directed by such department or agency, and
5 (e) credited to the fund from the excise taxes imposed by section
6 66-1345.01 beginning January 1, 2013.

7 (3) The fund shall be expended by the department (a)
8 to aid management actions taken to reduce consumptive uses of
9 water in river basins, subbasins, or reaches which are deemed
10 by the department overappropriated pursuant to section 46-713 or
11 fully appropriated pursuant to section 46-714 or are bound by
12 an interstate compact or decree or a formal state contract or
13 agreement and (b) to the extent funds are not expended pursuant to
14 subdivision (a) of this subsection, the department may conduct a
15 statewide assessment of short-term and long-term water management
16 activities and funding needs to meet statutory requirements in
17 sections 46-713 to 46-718 and 46-739 and any requirements of an
18 interstate compact or decree or formal state contract or agreement.
19 The fund shall not be used to pay for administrative expenses or
20 any salaries for the department or any political subdivision.

21 (4) It is the intent of the Legislature that two million
22 seven hundred thousand dollars be transferred each fiscal year from
23 the General Fund to the Water Resources Cash Fund for FY2009-10
24 through FY2018-19.

25 (5) (a) Expenditures from the Water Resources Cash

1 Fund may be made to natural resources districts eligible under
2 subsection (3) of this section for activities to either achieve a
3 sustainable balance of consumptive water uses or assure compliance
4 with an interstate compact or decree or a formal state contract
5 or agreement and shall require a match of local funding in an
6 amount equal to or greater than forty percent of the total cost
7 of carrying out the eligible activity. The department shall, no
8 later than August 1 of each year, beginning in 2007, determine the
9 amount of funding that will be made available to natural resources
10 districts from the Water Resources Cash Fund and notify natural
11 resources districts of this determination. The department shall
12 adopt and promulgate rules and regulations governing application
13 for and use of the Water Resources Cash Fund by natural resources
14 districts. Such rules and regulations shall, at a minimum, include
15 the following components:

16 (i) Require an explanation of how the planned activity
17 will assure compliance with an interstate compact or decree or a
18 formal state contract or agreement as required by section 46-715
19 and the controls, rules, and regulations designed to carry out the
20 activity; and

21 (ii) A schedule of implementation of the activity or its
22 components.

23 (b) Any natural resources district that fails to
24 implement and enforce its controls, rules, and regulations as
25 required by section 46-715 shall not be eligible for funding

1 from the Water Resources Cash Fund until it is determined by the
2 department that compliance with the provisions required by section
3 46-715 has been established.

4 (6) The Department of Natural Resources shall submit an
5 annual report to the Legislature no later than October 1 of each
6 year, beginning in the year 2007, that shall detail the use of the
7 Water Resources Cash Fund in the previous year. The report shall
8 provide:

9 (a) Details regarding the use and cost of activities
10 carried out by the department; and

11 (b) Details regarding the use and cost of activities
12 carried out by each natural resources district that received funds
13 from the Water Resources Cash Fund.

14 Sec. 51. Section 66-4,100, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 66-4,100 The Highway Cash Fund and the Roads Operations
17 Cash Fund are hereby created. If bonds are issued pursuant to
18 subsection (2) of section 39-2223, the balance of the share of
19 the Highway Trust Fund allocated to the Department of Roads and
20 deposited into the Highway Restoration and Improvement Bond Fund
21 as provided in subsection (6) of section 39-2215 and the balance
22 of the money deposited in the Highway Restoration and Improvement
23 Bond Fund as provided in section 39-2215.01 shall be transferred
24 by the State Treasurer, on or before the last day of each month,
25 to the Highway Cash Fund. If no bonds are issued pursuant to

1 subsection (2) of section 39-2223, the share of the Highway Trust
2 Fund allocated to the Department of Roads shall be transferred by
3 the State Treasurer on or before the last day of each month to the
4 Highway Cash Fund.

5 The Legislature may direct the State Treasurer to
6 transfer funds from the Highway Cash Fund to the Roads Operations
7 Cash Fund. Both funds shall be expended by the department (1) for
8 acquiring real estate, road materials, equipment, and supplies
9 to be used in the construction, reconstruction, improvement,
10 and maintenance of state highways, (2) for the construction,
11 reconstruction, improvement, and maintenance of state highways,
12 including grading, drainage, structures, surfacing, roadside
13 development, landscaping, and other incidentals necessary for
14 proper completion and protection of state highways as the
15 department shall, after investigation, find and determine shall
16 be for the best interests of the highway system of the state,
17 either independent of or in conjunction with federal-aid money for
18 highway purposes, (3) for the share of the department of the cost
19 of maintenance of state aid bridges, (4) for planning studies in
20 conjunction with federal highway funds for the purpose of analyzing
21 traffic problems and financial conditions and problems relating to
22 state, county, township, municipal, federal, and all other roads
23 in the state and for incidental costs in connection with the
24 federal-aid grade crossing program for roads not on state highways,
25 (5) for tests and research by the department or proportionate costs

1 of membership, tests, and research of highway organizations when
2 participated in by the highway departments of other states, (6)
3 for the payment of expenses and costs of the Board of Examiners
4 for County Highway and City Street Superintendents as set forth in
5 section 39-2310, and (7) for support of the public transportation
6 assistance program established under section 13-1209 and the
7 intercity bus system assistance program established under section
8 13-1213.

9 Any money in the Highway Cash Fund and the Roads
10 Operations Cash Fund not needed for current operations of the
11 department shall, as directed by the Director-State Engineer to
12 the State Treasurer, be invested by the state investment officer
13 pursuant to the Nebraska Capital Expansion Act and the Nebraska
14 State Funds Investment Act, subject to approval by the board of
15 each investment. All income received as a result of such investment
16 shall be placed in the Highway Cash Fund.

17 Transfers may be made from the Roads Operations Cash Fund
18 to the General Fund at the direction of the Legislature.

19 Sec. 52. Section 66-739, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 66-739 There is hereby created the Motor Fuel Tax
22 Enforcement and Collection Cash Fund. Such fund shall consist of
23 appropriations to the fund and money transferred to it pursuant to
24 section 39-2215. The fund shall be used exclusively for the costs
25 of the Motor Fuel Tax Enforcement and Collection Division created

1 by section 66-738 and other related costs for the Department of
2 Agriculture, the Nebraska State Patrol, and functional areas of
3 the Department of Revenue as provided by such section, except that
4 transfers may be made from the fund to the General Fund at the
5 direction of the Legislature. Any money in the ~~fund~~ Motor Fuel
6 Tax Enforcement and Collection Cash Fund available for investment
7 shall be invested by the state investment officer pursuant to
8 the Nebraska Capital Expansion Act and the Nebraska State Funds
9 Investment Act.

10 Sec. 53. Section 66-1521, Revised Statutes Supplement,
11 2009, is amended to read:

12 66-1521 (1) A petroleum release remedial action fee is
13 hereby imposed upon the producer, refiner, importer, distributor,
14 wholesaler, or supplier who engages in the sale, distribution,
15 delivery, and use of petroleum within this state, except that the
16 fee shall not be imposed on petroleum that is exported. The fee
17 shall also be imposed on diesel fuel which is indelibly dyed. The
18 amount of the fee shall be nine-tenths of one cent per gallon on
19 motor vehicle fuel as defined in section 66-482 and three-tenths of
20 one cent per gallon on diesel fuel as defined in section 66-482.
21 The amount of the fee shall be used first for payment of claims
22 approved by the State Claims Board pursuant to section 66-1531;
23 second, up to three million dollars of the fee per year shall be
24 used for reimbursement of owners and operators under the Petroleum
25 Release Remedial Action Act for investigations of releases ordered

1 pursuant to section 81-15,124; and third, the remainder of the fee
2 shall be used for any other purpose authorized by section 66-1519.
3 The fee shall be paid by all producers, refiners, importers,
4 distributors, wholesalers, and suppliers subject to the fee by
5 filing a monthly return on or before the twenty-fifth day of
6 the calendar month following the monthly period to which it
7 relates. The pertinent provisions, specifically including penalty
8 provisions, of the motor fuel laws as defined in section 66-712
9 shall apply to the administration and collection of the fee except
10 for the treatment given refunds. There shall be a refund allowed
11 on any fee paid on petroleum which was taxed and then exported,
12 destroyed, or purchased for use by the United States Government
13 or its agencies. The department may also adjust for all errors in
14 the payment of the fee. In each calendar year, no claim for refund
15 related to the fee can be for an amount less than ten dollars.

16 (2) No producer, refiner, importer, distributor,
17 wholesaler, or supplier shall engage in the sale, distribution,
18 delivery, or use of petroleum in this state without having first
19 obtained a petroleum release remedial action license. Application
20 for a license shall be made to the Motor Fuel Tax Enforcement
21 and Collection Division of the Department of Revenue upon a form
22 prepared and furnished by the division. If the applicant is an
23 individual, the application shall include the applicant's social
24 security number. Failure to obtain a license prior to engaging
25 in the sale, distribution, delivery, or use of petroleum shall

1 be a Class IV misdemeanor. The division may suspend or cancel
2 the license of any producer, refiner, importer, distributor,
3 wholesaler, or supplier who fails to pay the fee imposed by
4 subsection (1) of this section in the same manner as licenses are
5 suspended or canceled pursuant to section 66-720.

6 (3) The division may adopt and promulgate rules and
7 regulations necessary to carry out this section.

8 (4) The division shall deduct and withhold from the
9 petroleum release remedial action fee collected pursuant to this
10 section an amount sufficient to reimburse the direct costs of
11 collecting and administering the petroleum release remedial action
12 fee. Such costs shall not exceed one hundred fifty thousand dollars
13 for each fiscal year. The one hundred fifty thousand dollars shall
14 be prorated, based on the number of months the fee is collected,
15 whenever the fee is collected for only a portion of a year.
16 The amount deducted and withheld for costs shall be deposited in
17 the Petroleum Release Remedial Action Collection Fund which is
18 hereby created. The Petroleum Release Remedial Action Collection
19 Fund shall be appropriated to the Department of Revenue, except
20 that transfers may be made from the fund to the General Fund at
21 the direction of the Legislature. Any money in the ~~fund~~ Petroleum
22 Release Remedial Action Collection Fund available for investment
23 shall be invested by the state investment officer pursuant to
24 the Nebraska Capital Expansion Act and the Nebraska State Funds
25 Investment Act.

1 (5) The division shall collect the fee imposed by
2 subsection (1) of this section.

3 Sec. 54. Section 66-1839, Revised Statutes Supplement,
4 2009, is amended to read:

5 66-1839 (1) The Municipal Rate Negotiations Revolving
6 Loan Fund is created. The fund shall be used to make loans to
7 cities for rate negotiations under section 66-1838 or negotiations
8 or litigation under section 66-1867, except that transfers may be
9 made from the fund to the General Fund at the direction of the
10 Legislature. Only one loan may be made for each rate filing made
11 by a jurisdictional utility within the scope of each section. Money
12 in the Municipal Natural Gas Regulation Revolving Loan Fund that is
13 not necessary to finance rate proceedings initiated prior to May
14 31, 2003, shall be transferred to the Municipal Rate Negotiations
15 Revolving Loan Fund on May 31, 2003, and repayments of loans or
16 other obligations owing to the Municipal Natural Gas Regulation
17 Revolving Loan Fund on May 31, 2003, shall be deposited in the
18 Municipal Rate Negotiations Revolving Loan Fund upon receipt. Any
19 obligations against or commitments of money from the Municipal
20 Natural Gas Regulation Revolving Loan Fund on May 31, 2003, shall
21 be obligations or commitments of the Municipal Rate Negotiations
22 Revolving Loan Fund.

23 (2) The Municipal Rate Negotiations Revolving Loan Fund
24 shall be administered by the commission which shall adopt and
25 promulgate rules and regulations to carry out this section. The

1 rules and regulations shall include:

2 (a) Loan application procedures and forms; and

3 (b) Fund-use monitoring and quarterly accounting of fund
4 use.

5 (3) Applicants for a loan from the fund shall provide
6 a budget statement which specifies the proposed use of the loan
7 proceeds. Such proceeds may only be used for the costs and
8 expenses incurred by the city to analyze rate filings for the
9 purposes specified in section 66-1838 or 66-1867. Such costs and
10 expenses may include the cost of rate consultants and attorneys
11 and any other necessary costs related to the negotiation process
12 or litigation under section 66-1867. Disbursements from the fund
13 shall be audited by the commission. The affected jurisdictional
14 utility may petition the commission to initiate a proceeding to
15 determine whether the disbursements from the fund were expended
16 by the negotiating cities consistent with the requirements of this
17 section.

18 (4) The fund shall be audited as part of the regular
19 audit of the commission's budget, and copies of the audit shall
20 be available to all cities and any jurisdictional utility. Audits
21 conducted pursuant to this section are public records.

22 (5) Any money in the fund available for investment
23 shall be invested by the state investment officer pursuant to
24 the Nebraska Capital Expansion Act and the Nebraska State Funds
25 Investment Act. If the fund balance exceeds four hundred thousand

1 dollars, the income on the money in the fund shall be credited to
2 the permanent school fund until the balance of the Municipal Rate
3 Negotiations Revolving Loan Fund falls below such amount.

4 (6) A city which receives a loan under this section shall
5 be responsible to provide for the opportunity for all other cities
6 engaged in the same negotiations with the same jurisdictional
7 utility to participate in all negotiations. Such city shall not
8 exclude any other city from the information or benefits accruing
9 from the use of loan funds.

10 (7) Upon the conclusion of negotiations, regardless of
11 the result, the loan shall be repaid by the jurisdictional utility
12 to the commission within thirty days after the date upon which it
13 is billed by the commission. The utility shall recover the amount
14 paid on the loan by a special surcharge on ratepayers who are or
15 will be affected by the rate increase request. These ratepayers may
16 be billed on their monthly statements for a period not to exceed
17 twelve months, and the surcharge may be shown as a separate item on
18 the statements as a charge for rate negotiation expenses.

19 Sec. 55. Section 70-1020, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 70-1020 In order to defray the expenses of the Nebraska
22 Power Review Board, there shall be imposed upon each public power
23 district, public power and irrigation district, electric membership
24 association, electric cooperative company, and municipality having
25 an electric distribution system or generation and distribution

1 system, and also upon all registered groups of municipalities, an
2 assessment each fiscal year in such sum as shall be determined
3 by the board and approved by the Governor. The total of such
4 assessments shall not exceed the expenses of the board which may
5 reasonably be anticipated for the fiscal year for which assessment
6 is made and shall be apportioned among the various agencies in
7 proportion to their gross income in the preceding calendar year.
8 The board shall determine and certify such assessment to each
9 supplier after approval of the board's budget by the Legislature
10 and Governor. The supplier shall remit the amount of its assessment
11 to the board within forty-five days after the mailing of the
12 assessment. Any assessment not paid when due shall draw interest
13 at a rate equal to the rate of interest allowed per annum under
14 section 45-104.02, as such rate may from time to time be adjusted.
15 The proceeds of such assessment shall be remitted to the State
16 Treasurer for credit to the Nebraska Power Review Fund, which fund
17 is hereby created and which, when appropriated by the Legislature,
18 shall be used to administer the powers granted to the Nebraska
19 Power Review Board, except that transfers may be made from the fund
20 to the General Fund at the direction of the Legislature. Any money
21 in the ~~fund~~ Nebraska Power Review Fund available for investment
22 shall be invested by the state investment officer pursuant to
23 the Nebraska Capital Expansion Act and the Nebraska State Funds
24 Investment Act.

25 Sec. 56. Section 71-222.02, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 71-222.02 All funds collected in the administration of
3 the Barber Act shall be remitted to the State Treasurer for credit
4 to the Board of Barber Examiners Fund which is hereby created and
5 which shall be expended only for the administration of the act,
6 except that transfers may be made from the fund to the General Fund
7 at the direction of the Legislature. Any money in the ~~fund~~ Board
8 of Barber Examiners Fund available for investment shall be invested
9 by the state investment officer pursuant to the Nebraska Capital
10 Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 57. Section 71-4732, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 71-4732 There is hereby created a Commission for the
14 Deaf and Hard of Hearing Fund to consist of such funds as the
15 Legislature shall appropriate, any funds received under sections
16 20-156 and 71-4731, and any fees collected for interpreter services
17 as provided in section 71-4728. The fund shall be used to
18 administer sections 20-156 and 71-4720 to 71-4732.01, except that
19 (1) money in the fund from fees collected for interpreter services
20 shall be used only for expenses related to the provision of such
21 services, and (2) money in the fund may only be used to provide
22 services pursuant to section 71-4728.04 if there is no money in the
23 Telehealth System Fund, and (3) transfers may be made from the fund
24 to the General Fund at the direction of the Legislature. Any money
25 in the Commission for the Deaf and Hard of Hearing Fund available

1 for investment shall be invested by the state investment officer
2 pursuant to the Nebraska Capital Expansion Act and the Nebraska
3 State Funds Investment Act.

4 Sec. 58. Section 71-5661, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 71-5661 (1) The financial incentives provided by the
7 Rural Health Systems and Professional Incentive Act shall consist
8 of (a) student loans to eligible students for attendance at an
9 eligible school as determined pursuant to section 71-5662 and
10 (b) the repayment of qualified educational debts owed by eligible
11 health professionals as determined pursuant to such section. Funds
12 for such incentives shall be appropriated from the General Fund to
13 the department for such purposes.

14 (2) The Rural Health Professional Incentive Fund is
15 created. The fund shall be used to carry out the purposes of the
16 act, except that transfers may be made from the fund to the General
17 Fund at the direction of the Legislature. Money credited pursuant
18 to section 71-5670.01 and payments received pursuant to sections
19 71-5666 and 71-5668 shall be remitted to the State Treasurer for
20 credit to the ~~fund-~~ Rural Health Professional Incentive Fund. Any
21 money in the fund available for investment shall be invested by the
22 state investment officer pursuant to the Nebraska Capital Expansion
23 Act and the Nebraska State Funds Investment Act.

24 Sec. 59. Section 71-5714, Revised Statutes Cumulative
25 Supplement, 2008, is amended to read:

1 71-5714 The Tobacco Prevention and Control Cash
2 Fund is created. The fund shall be used for a comprehensive
3 statewide tobacco-related public health program administered by
4 the Department of Health and Human Services which includes, but
5 is not limited to (1) community programs to reduce tobacco use,
6 (2) chronic disease programs, (3) school programs, (4) statewide
7 programs, (5) enforcement, (6) counter marketing, (7) cessation
8 programs, (8) surveillance and evaluation, and (9) administration.
9 Transfers may be made from the fund to the General Fund at the
10 direction of the Legislature. Any money in the Tobacco Prevention
11 and Control Cash Fund available for investment shall be invested
12 by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.

14 Sec. 60. Section 71-8612, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 71-8612 The Commission for the Blind and Visually
17 Impaired Cash Fund is created. The fund shall contain money
18 received pursuant to the Commission for the Blind and Visually
19 Impaired Act and shall include a percentage of the net proceeds
20 derived from the operation of vending facilities. The net proceeds
21 from the operation of vending facilities shall accrue to the
22 blind vending facility operator, except for the percentage of
23 the net proceeds that shall revert to the cash fund. Such fund
24 shall be used for supervision and other administrative purposes
25 as necessary, except that transfers may be made from the fund

1 to the General Fund at the direction of the Legislature. The
 2 commission, in consultation with the Committee of Blind Vendors,
 3 shall determine the percentage of the net proceeds that reverts
 4 to the ~~fund~~ Commission for the Blind and Visually Impaired Cash
 5 Fund after an investigation to reveal the gross proceeds, cost of
 6 operation, amount necessary to replenish the stock of merchandise,
 7 and the business needs of the blind vending facility operator. All
 8 equipment purchased from the fund is the property of the state and
 9 shall be disposed of only by sale at a fair market price. Any money
 10 in the fund available for investment shall be invested by the state
 11 investment officer pursuant to the Nebraska Capital Expansion Act
 12 and the Nebraska State Funds Investment Act.

13 Sec. 61. Section 72-1249.02, Reissue Revised Statutes of
 14 Nebraska, is amended to read:

15 72-1249.02 The State Investment Officer's Cash Fund is
 16 created. A pro rata share of the budget appropriated for the
 17 Nebraska Investment Council shall be charged to the income of each
 18 fund managed, and such charges shall be transferred to the State
 19 Investment Officer's Cash Fund. The allocation of charges may be
 20 made by any method determined to be reasonably related to actual
 21 costs incurred by the Nebraska Investment Council. Approval of
 22 the agencies and boards administering these funds shall not be
 23 required. Transfers may be made from the fund to the General Fund
 24 at the direction of the Legislature.

25 It is the intent of this section to have funds managed by

1 the state investment officer pay a pro rata share of the investment
2 management expense when this is not prohibited by statute or the
3 constitution.

4 Management, custodial, and service costs which are a
5 direct expense of state funds may be paid from the income of such
6 funds when this is not prohibited by statute or the constitution.
7 For purposes of this section, management, custodial, and service
8 costs shall include, but not be limited to, investment counsel fees
9 for managing assets, real estate mortgage loan service fees, real
10 estate management fees, and custody fees for fund securities. All
11 such fees shall be approved by the Nebraska Investment Council and
12 the state investment officer.

13 Sec. 62. Section 72-2009, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 72-2009 The Niobrara Council Fund is created. The fund
16 shall be administered by the Niobrara Council. The council may
17 accept any private or public funds to carry out its work and
18 such funds shall be remitted to the State Treasurer for credit
19 to the fund. The fund shall consist of such funds and legislative
20 appropriations made to the council. Transfers may be made from the
21 fund to the General Fund at the direction of the Legislature. Any
22 money in the fund Niobrara Council Fund available for investment
23 shall be invested by the state investment officer pursuant to
24 the Nebraska Capital Expansion Act and the Nebraska State Funds
25 Investment Act.

1 Sec. 63. Section 72-2211, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 72-2211 The Capitol Restoration Cash Fund is created. The
4 administrator shall administer the fund, which shall consist of
5 money received from the sale of material, rental revenue, private
6 donations, and public donations. The fund shall be used to finance
7 projects to restore the State Capitol and capitol grounds to their
8 original condition, to purchase and conserve items to be added to
9 the Nebraska Capitol Collections housed in the State Capitol, and
10 to produce promotional material concerning the State Capitol, its
11 grounds, and the Nebraska State Capitol Environs District, except
12 that transfers may be made from the fund to the General Fund at the
13 direction of the Legislature. Such expenditures shall be prescribed
14 by the administrator and approved by the commission. Any money in
15 the Capitol Restoration Cash Fund available for investment shall be
16 invested by the state investment officer pursuant to the Nebraska
17 Capital Expansion Act and the Nebraska State Funds Investment Act.

18 Sec. 64. Section 72-2501, Revised Statutes Cumulative
19 Supplement, 2008, is amended to read:

20 72-2501 The Nebraska Incentives Fund is created. ~~Any~~
21 ~~money in the Employment and Investment Growth Fund, the Invest~~
22 ~~Nebraska Fund, the Nebraska Advantage Fund, the Nebraska Advantage~~
23 ~~Rural Development Fund, the Quality Jobs Fund, or the Rural~~
24 ~~Economic Opportunities Fund, on July 18, 2008, shall be transferred~~
25 ~~by the State Treasurer to the Nebraska Incentives Fund. Transfers~~

1 may be made from the fund to the General Fund at the direction
 2 of the Legislature. Any money in the fund Nebraska Incentives Fund
 3 available for investment shall be invested by the state investment
 4 officer pursuant to the Nebraska Capital Expansion Act and the
 5 Nebraska State Funds Investment Act.

6 Sec. 65. Section 76-549, Reissue Revised Statutes of
 7 Nebraska, is amended to read:

8 76-549 (1) All fees collected pursuant to the Abstracters
 9 Act shall be deposited in the state treasury to be credited to the
 10 Abstracters Board of Examiners Cash Fund which is hereby created.
 11 All actual and necessary expenses of the board shall be paid from
 12 such fund.

13 (2) No member of the board shall receive a salary. Each
 14 member of the board shall receive as compensation for each day
 15 or part thereof of actual service while attending meetings or
 16 otherwise engaged upon the business of the board fifty dollars
 17 and expenses incurred in the performance of official duties. The
 18 director shall be paid a salary to be determined by the board.

19 (3) Transfers may be made from the Abstracters Board
 20 of Examiners Cash Fund to the General Fund at the direction of
 21 the Legislature. Any money in the Abstracters Board of Examiners
 22 Cash Fund available for investment shall be invested by the state
 23 investment officer pursuant to the Nebraska Capital Expansion Act
 24 and the Nebraska State Funds Investment Act.

25 Sec. 66. Section 76-2226, Revised Statutes Cumulative

1 Supplement, 2008, is amended to read:

2 76-2226 There is hereby created the Real Property
3 Appraiser Fund. The board may use the fund for the administration
4 and enforcement of the Real Property Appraiser Act and to meet
5 the necessary expenditures of the board. The fund shall include
6 a sufficient cash fund balance as determined by the board. The
7 expense of administering and enforcing the act shall not exceed
8 the money collected by the board under the act. Transfers may be
9 made from the fund to the General Fund at the direction of the
10 Legislature. Any money in the ~~fund~~ Real Property Appraiser Fund
11 available for investment shall be invested by the state investment
12 officer pursuant to the Nebraska Capital Expansion Act and the
13 Nebraska State Funds Investment Act.

14 Sec. 67. Section 77-3,110, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 77-3,110 All funds received pursuant to sections 77-3,109
17 and 77-3,118 shall be remitted to the State Treasurer for credit
18 to the Department of Revenue Miscellaneous Receipts Fund which is
19 hereby created. All money in the fund shall be administered by
20 the Department of Revenue and shall be used to defray the cost of
21 production of the publications listed in section 77-3,109 or of
22 the listings described in section 77-3,118, except that transfers
23 may be made from the fund to the General Fund at the direction
24 of the Legislature. Any money in the ~~fund~~ Department of Revenue
25 Miscellaneous Receipts Fund available for investment shall be

1 invested by the state investment officer pursuant to the Nebraska
2 Capital Expansion Act and the Nebraska State Funds Investment Act.

3 Sec. 68. Section 77-1342, Revised Statutes Supplement,
4 2009, is amended to read:

5 77-1342 There is hereby created a fund to be known as
6 the Department of Revenue Property Assessment Division Cash Fund
7 to which shall be credited all money received by the Department
8 of Revenue for services performed for county and multicounty
9 assessment districts, for charges for publications, manuals, and
10 lists, as an assessor's examination fee authorized by section
11 77-421, and under the provisions of sections 60-3,202, 77-684,
12 77-1250, and 77-1340. The fund shall be used to carry out
13 any duties and responsibilities of the department, except that
14 transfers may be made from the fund to the General Fund at the
15 direction of the Legislature. The county or multicounty assessment
16 district shall be billed by the department for services rendered.
17 Reimbursements to the department shall be credited to the ~~fund,~~
18 Department of Revenue Property Assessment Division Cash Fund, and
19 expenditures therefrom shall be made only when such funds are
20 available. The department shall only bill for the actual amount
21 expended in performing the service.

22 The fund shall not, at the close of each year, be
23 lapsed to the General Fund. Any money in the Department of Revenue
24 Property Assessment Division Cash Fund available for investment
25 shall be invested by the state investment officer pursuant to

1 the Nebraska Capital Expansion Act and the Nebraska State Funds
2 Investment Act.

3 Sec. 69. Section 77-4310.03, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 77-4310.03 There is hereby created the Marijuana and
6 Controlled Substances Tax Administration Cash Fund. Money in the
7 fund shall be used by the Tax Commissioner for the purposes of
8 administering, collecting, and enforcing the tax imposed by section
9 77-4303, except that transfers may be made from the fund to the
10 General Fund at the direction of the Legislature. Any money in
11 the ~~fund~~ Marijuana and Controlled Substances Tax Administration
12 Cash Fund available for investment shall be invested by the state
13 investment officer pursuant to the Nebraska Capital Expansion Act
14 and the Nebraska State Funds Investment Act.

15 Sec. 70. Section 77-5031, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 77-5031 The Tax Equalization and Review Commission Cash
18 Fund is hereby created. All money received by the commission
19 for appeals and services performed and billed to other agencies
20 or persons shall be credited to the fund. The commission shall
21 only bill for the actual amount expended in performing services.
22 The fund shall be used to carry out the provisions of the Tax
23 Equalization and Review Commission Act, except that transfers may
24 be made from the fund to the General Fund at the direction of
25 the Legislature. Expenditures from the ~~fund~~ Tax Equalization and

1 Review Commission Cash Fund shall be made only when such funds
2 are available. Any unexpended balance in the fund at the end of
3 each fiscal year shall not lapse to the General Fund. Any money
4 in the Tax Equalization and Review Commission Cash Fund available
5 for investment shall be invested by the state investment officer
6 pursuant to the Nebraska Capital Expansion Act and the Nebraska
7 State Funds Investment Act.

8 Sec. 71. Section 77-5601, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 77-5601 (1) From August 1, 2004, through October 31,
11 2004, there shall be conducted a tax amnesty program with regard
12 to taxes due and owing that have not been reported to the
13 Department of Revenue. Any person applying for tax amnesty shall
14 pay all unreported taxes that were due on or before April 1,
15 2004. Any person that applies for tax amnesty and is accepted
16 by the Tax Commissioner shall have any penalties and interest
17 waived on unreported and delinquent taxes notwithstanding any other
18 provisions of law to the contrary.

19 (2) To be eligible for the tax amnesty provided by this
20 section, the person shall apply for amnesty within the amnesty
21 period, file a return for each taxable period for which the amnesty
22 is requested by December 31, 2004, if no return has been filed, and
23 pay in full all taxes for which amnesty is sought with the return
24 or within thirty days after the application if a return was filed
25 prior to the amnesty period. Tax amnesty shall not be available for

1 any person that is under civil or criminal audit, investigation, or
2 prosecution for unreported or delinquent taxes by this state or the
3 United States Government on or before April 16, 2004.

4 (3) The department shall not seek civil or criminal
5 prosecution against any person for any taxable period for which
6 amnesty has been granted. The Tax Commissioner shall develop forms
7 for applying for the tax amnesty program, develop procedures for
8 qualification for tax amnesty, and conduct a public awareness
9 campaign publicizing the program.

10 (4) If a person elects to participate in the amnesty
11 program, the election shall constitute an express and irrevocable
12 relinquishment of all administrative and judicial rights to
13 challenge the imposition of the tax or its amount. Nothing in this
14 section shall prohibit the department from adjusting a return as a
15 result of any state or federal audit.

16 (5)(a) Except for any local option sales tax collected
17 and returned to the appropriate municipality and any motor vehicle
18 fuel, diesel fuel, and compressed fuel taxes, which shall be
19 deposited in the Highway Trust Fund or Highway Allocation Fund
20 as provided by law, no less than eighty percent of all revenue
21 received pursuant to the tax amnesty program shall be deposited
22 in the General Fund; ten percent, not to exceed five hundred
23 thousand dollars, shall be deposited in the Department of Revenue
24 Enforcement Fund; and ten percent, not to exceed five hundred
25 thousand dollars, shall be deposited in the Department of Revenue

1 Enforcement Technology Fund. Any amount that would otherwise be
2 deposited in the Department of Revenue Enforcement Fund or the
3 Department of Revenue Enforcement Technology Fund that is in excess
4 of the five-hundred-thousand-dollar limitation shall be deposited
5 in the General Fund.

6 (b) For fiscal year 2005-06, all proceeds in the
7 Department of Revenue Enforcement Fund shall be appropriated to
8 the department for purposes of employing investigators, agents, and
9 auditors and otherwise increasing personnel for enforcement of the
10 Nebraska Revenue Act of 1967. For fiscal year 2005-06, all proceeds
11 in the Department of Revenue Enforcement Technology Fund shall be
12 appropriated to the department for the purposes of acquiring lists,
13 software, programming, computer equipment, and other technological
14 methods for enforcing the act.

15 (c) For fiscal years after fiscal year 2005-06, twenty
16 percent of all proceeds received during the previous calendar year
17 due to the efforts of auditors and investigators hired pursuant to
18 subdivision (5)(b) of this section, not to exceed seven hundred
19 fifty thousand dollars, shall be deposited in the Department of
20 Revenue Enforcement Fund for purposes of employing investigators
21 and auditors or continuing such employment for purposes of
22 increasing enforcement of the act.

23 (6)(a) The department shall prepare a report by April
24 1, 2005, and by February 1 of each year thereafter detailing the
25 results of the tax amnesty program and the subsequent enforcement

1 efforts. For the report due April 1, 2005, the report shall include
2 (i) the amount of revenue obtained as a result of the tax amnesty
3 program broken down by tax program, (ii) the amount obtained
4 from instate taxpayers and from out-of-state taxpayers, and (iii)
5 the amount obtained from individual taxpayers and from business
6 enterprises.

7 (b) For reports due in subsequent years, the report
8 shall include (i) the number of personnel hired for purposes
9 of subdivision (5)(b) of this section and their duties, (ii) a
10 description of lists, software, programming, computer equipment,
11 and other technological methods acquired pursuant to such
12 subdivision and the purposes of each, and (iii) the amount
13 of new revenue obtained as a result of the new personnel and
14 acquisitions during the prior calendar year, broken down into the
15 same categories as described in subdivision (6)(a) of this section.

16 (7) The Department of Revenue Enforcement Fund and the
17 Department of Revenue Enforcement Technology Fund are created.
18 Transfers may be made from the Department of Revenue Enforcement
19 Fund to the General Fund at the direction of the Legislature.
20 Any money in the ~~funds~~ Department of Revenue Enforcement Fund and
21 the Department of Revenue Enforcement Technology Fund available
22 for investment shall be invested by the state investment officer
23 pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act. The Department of Revenue Enforcement
25 Technology Fund shall terminate on July 1, 2006. Any unobligated

1 money in the fund at that time shall be deposited in the General
2 Fund.

3 (8) For purposes of this section, taxes mean any taxes
4 collected by the department, including, but not limited to state
5 and local sales and use taxes, individual and corporate income
6 taxes, financial institutions deposit taxes, motor vehicle fuel,
7 diesel fuel, and compressed fuel taxes, cigarette taxes, transfer
8 taxes, and charitable gaming taxes.

9 Sec. 72. Section 79-810, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 79-810 (1) Certificates and permits shall be issued by
12 the commissioner upon application on forms prescribed and provided
13 by him or her which shall include the applicant's social security
14 number.

15 (2) Each certificate or permit issued by the commissioner
16 shall indicate the area of authorization to teach, provide special
17 services, or administer and any areas of endorsement for which
18 the holder qualifies. During the term of any certificate or permit
19 issued by the commissioner, additional endorsements may be made on
20 the certificate or permit if the holder submits an application,
21 meets the requirements for issuance of the additional endorsements,
22 and pays a nonrefundable fee of forty dollars.

23 (3) The Certification Fund is created. Any fee received
24 by the department under sections 79-806 to 79-815 shall be remitted
25 to the State Treasurer for credit to the fund. The fund shall be

1 used by the department in paying the costs of certifying educators
2 pursuant to such sections and to carry out subsection (3) of
3 section 79-808. For issuance of a certificate or permit valid in
4 all schools, the nonrefundable fee shall be fifty-five dollars,
5 except that thirteen dollars of the fifty-five-dollar fee shall
6 be credited to the Professional Practices Commission Fund which is
7 created for use by the department to pay for the provisions of
8 sections 79-859 to 79-871, except that transfers may be made from
9 the fund to the General Fund at the direction of the Legislature.
10 For issuance of a certificate or permit valid only in nonpublic
11 schools, the nonrefundable fee shall be forty dollars. Any money
12 in the Certification Fund or the Professional Practices Commission
13 Fund available for investment shall be invested by the state
14 investment officer pursuant to the Nebraska Capital Expansion Act
15 and the Nebraska State Funds Investment Act.

16 Sec. 73. Section 79-1320, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 79-1320 The State Educational Telecommunications Fund
19 is created. The fund shall be used by the Nebraska Educational
20 Telecommunications Commission for the purposes of carrying out
21 the provisions of the Nebraska Educational Telecommunications Act,
22 except that transfers may be made from the fund to the General
23 Fund at the direction of the Legislature. ~~Such fund~~ The State
24 Educational Telecommunications Fund shall consist of such sums as
25 the Legislature may appropriate. Any money in the fund available

1 for investment shall be invested by the state investment officer
2 pursuant to the Nebraska Capital Expansion Act and the Nebraska
3 State Funds Investment Act.

4 Sec. 74. Section 81-188.01, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 81-188.01 (1) The State Building Renewal Assessment Fund
7 is created. The fund shall be under the control of the Governor for
8 allocation to building renewal projects of the various agencies
9 and shall be administered in a manner consistent with the
10 administration of the Building Renewal Allocation Fund pursuant
11 to the Deferred Building Renewal Act. No amounts accruing to the
12 State Building Renewal Assessment Fund shall be expended in any
13 manner for purposes other than as provided in this section or as
14 appropriated by the Legislature to meet the cost of administering
15 the act. Transfers may be made from the fund to the General Fund at
16 the direction of the Legislature.

17 (2) Revenue credited to the ~~fund~~ State Building Renewal
18 Assessment Fund shall include amounts derived from charges assessed
19 pursuant to subdivision (4)(b) of section 81-1108.17, depreciation
20 charges remitted pursuant to section 81-188.02, and such other
21 revenue as may be incident to the administration of the fund.

22 (3) Amounts appropriated from the fund shall be expended
23 to conduct renewal work as defined in section 81-173 and to
24 complete other improvements incident to such renewal work as deemed
25 necessary or appropriate by the task force. From amounts accruing

1 to the fund as the result of depreciation charges assessed pursuant
2 to subdivision (4)(b) of section 81-1108.17, expenditures for
3 capital improvements shall be limited to improvements to only those
4 facilities for which such charges have been assessed and remitted.
5 From amounts accruing to the fund as the result of depreciation
6 charges assessed pursuant to section 81-188.02, expenditures for
7 capital improvement projects shall be limited to exclude (a)
8 capital improvement projects relating to facilities, structures,
9 or buildings owned, leased, or operated by the (i) University
10 of Nebraska, (ii) Nebraska state colleges, (iii) Department
11 of Aeronautics, (iv) Department of Roads, (v) Game and Parks
12 Commission, or (vi) Board of Educational Lands and Funds and (b)
13 capital improvement projects relating to facilities, structures,
14 or buildings for which depreciation charges are assessed pursuant
15 to subdivision (4)(b) of section 81-1108.17. For each fiscal year,
16 task force allocations from amounts accruing to the fund pursuant
17 to section 81-188.02 shall not exceed the total of such revenue
18 credited to the fund in the preceding fiscal year, except that if
19 no revenue from depreciation charge assessments was credited to the
20 fund in the preceding fiscal year, allocations shall not exceed
21 fifty percent of revenue credited to the fund in the last preceding
22 fiscal year in which depreciation charge assessments were credited
23 to the fund.

24 (4) Any money in the fund available for investment
25 shall be invested by the state investment officer pursuant to

1 the Nebraska Capital Expansion Act and the Nebraska State Funds
2 Investment Act.

3 Sec. 75. Section 81-201.05, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 81-201.05 (1) The Weed Book Cash Fund is created. ~~Any~~
6 ~~money in the Weed and Insect Books Cash Fund on July 16, 2004,~~
7 ~~shall be transferred to the Weed Book Cash Fund. Upon such~~
8 ~~transfer, the following amounts shall be transferred from the Weed~~
9 ~~Book Cash Fund: (a) Twenty-five thousand dollars to the Noxious~~
10 ~~Weed Cash Fund; and (b) thirty-seven thousand eight hundred dollars~~
11 ~~to the Plant Protection and Plant Pest Cash Fund. On July 1, 2005,~~
12 ~~July 1, 2006, July 1, 2007, July 1, 2008, and July 1, 2009, if~~
13 ~~there are sufficient funds available, twenty-five thousand dollars~~
14 ~~shall be transferred from the Weed Book Cash Fund to the Noxious~~
15 ~~Weed Cash Fund. Transfers may be made from the Weed Book Cash~~
16 ~~Fund to the General Fund at the direction of the Legislature. Any~~
17 ~~money in the Weed Book Cash Fund available for investment shall be~~
18 ~~invested by the state investment officer pursuant to the Nebraska~~
19 ~~Capital Expansion Act and the Nebraska State Funds Investment Act.~~

20 (2) The sale price of each Weeds of the Great Plains book
21 sold by the Department of Agriculture shall be credited as follows:

22 (a) Seventy-five percent to the Weed Book Cash Fund
23 to aid in defraying the cost of publishing, preparing, and
24 distributing such books and any supplemental inserts to such
25 books; and

1 (b) Twenty-five percent to the Noxious Weed Cash Fund.

2 Sec. 76. Section 81-2,147.11, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 81-2,147.11 There is hereby created a fund to be known
5 as the Nebraska Seed Administrative Cash Fund. All money received
6 pursuant to the Nebraska Seed Law shall be remitted to the State
7 Treasurer for credit to such fund. All money credited to the fund
8 shall be used by the Department of Agriculture to aid in defraying
9 the cost of administering such law, except that transfers may be
10 made from the fund to the General Fund at the direction of the
11 Legislature. Any money in the ~~fund~~ Nebraska Seed Administrative
12 Cash Fund available for investment shall be invested by the state
13 investment officer pursuant to the Nebraska Capital Expansion Act
14 and the Nebraska State Funds Investment Act.

15 Sec. 77. Section 81-2,162.27, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 81-2,162.27 (1) All money received under the Nebraska
18 Commercial Fertilizer and Soil Conditioner Act shall be remitted
19 to the State Treasurer for credit to the Fertilizers and Soil
20 Conditioners Administrative Fund, which fund is hereby created. All
21 money so received shall be used by the department for defraying
22 the expenses of administering the Nebraska Commercial Fertilizer
23 and Soil Conditioner Act and the Agricultural Liming Materials Act,
24 except that transfers may be made from the fund to the General Fund
25 at the direction of the Legislature.

1 (2) Any unexpended balance in the Fertilizers and Soil
2 Conditioners Administrative Fund at the close of any biennium
3 shall, when reappropriated, be available for the uses and purposes
4 of the fund for the succeeding biennium. Any money in the fund
5 available for investment shall be invested by the state investment
6 officer pursuant to the Nebraska Capital Expansion Act and the
7 Nebraska State Funds Investment Act.

8 Sec. 78. Section 81-2,291, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 81-2,291 All fees paid to the department in accordance
11 with the Nebraska Pure Food Act shall be remitted to the State
12 Treasurer. The State Treasurer shall credit the fees to the Pure
13 Food Cash Fund, which fund is hereby created. All money credited
14 to such fund shall be appropriated to the uses of the department
15 to aid in defraying the expenses of administering the act, except
16 that transfers may be made from the fund to the General Fund at the
17 direction of the Legislature.

18 Any money in the ~~fund~~ Pure Food Cash Fund available
19 for investment shall be invested by the state investment officer
20 pursuant to the Nebraska Capital Expansion Act and the Nebraska
21 State Funds Investment Act.

22 Sec. 79. Section 81-528, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 81-528 (1) The State Fire Marshal Cash Fund is created.
25 Money collected pursuant to subsections (2) and (3) of this section

1 shall be remitted to the State Treasurer for credit to the fund.
2 The fund shall be used to pay for costs incurred in the general
3 operations program of the State Fire Marshal's office, except that
4 transfers may be made from the fund to the General Fund at the
5 direction of the Legislature. The ~~fund~~ State Fire Marshal Cash
6 Fund shall be administered by the State Fire Marshal. Any money in
7 the fund available for investment shall be invested by the state
8 investment officer pursuant to the Nebraska Capital Expansion Act
9 and the Nebraska State Funds Investment Act.

10 (2) All money received from inspection contracts,
11 penalties, fees, or forfeitures, except fines collected under
12 sections 81-501.01 to 81-531 and 81-5,151 to 81-5,157, shall be
13 remitted to the State Treasurer for credit to the fund.

14 (3) All fees assessed pursuant to section 81-505.01 for
15 services performed by the State Fire Marshal's office shall be
16 remitted to the State Treasurer for credit to the fund.

17 Sec. 80. Section 81-5,153, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 81-5,153 The Training Division Cash Fund is created.
20 Money collected pursuant to section 81-5,152 shall be remitted to
21 the State Treasurer for credit to the fund. The fund shall be used
22 for the purpose of administering the training program established
23 pursuant to sections 81-5,151 to 81-5,157, except that transfers
24 may be made from the fund to the General Fund at the direction
25 of the Legislature. The ~~fund~~ Training Division Cash Fund shall

1 be administered by the State Fire Marshal. Any money in the fund
2 available for investment shall be invested by the state investment
3 officer pursuant to the Nebraska Capital Expansion Act and the
4 Nebraska State Funds Investment Act.

5 Sec. 81. Section 81-885.15, Revised Statutes Supplement,
6 2009, is amended to read:

7 81-885.15 All fees collected under the Nebraska Real
8 Estate License Act shall be deposited in the state treasury in
9 a fund to be known as the State Real Estate Commission's Fund.
10 The commission may use such part of the money in this fund as is
11 necessary to be used by it in the administration and enforcement of
12 the act. Transfers may be made from the fund to the General Fund
13 at the direction of the Legislature. The ~~fund~~ State Real Estate
14 Commission's Fund shall be paid out only upon proper vouchers and
15 upon warrants issued by the Director of Administrative Services
16 and countersigned by the State Treasurer, as provided by law. The
17 expenses of conducting the office must always be kept within the
18 income collected and deposited with the State Treasurer by such
19 commission and such office, and the expense thereof shall not be
20 supported or paid from any other state fund. Any money in the State
21 Real Estate Commission's Fund available for investment shall be
22 invested by the state investment officer pursuant to the Nebraska
23 Capital Expansion Act and the Nebraska State Funds Investment Act.

24 Sec. 82. Section 81-8,110.07, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 81-8,110.07 The secretary of the examining board shall
2 receive and account for all money derived from the operation of
3 sections 81-8,108 to 81-8,127 and shall remit it to the State
4 Treasurer for credit to the Land Surveyor Examiner's Fund, which
5 fund is hereby created. This fund shall be continued from year
6 to year. When appropriated by the Legislature, this fund shall be
7 expended only for the purposes of sections 81-8,108 to 81-8,127.
8 When not reappropriated for the succeeding biennium, the money in
9 this fund shall not revert to the General Fund. The fund shall be
10 paid out only upon vouchers approved by the examining board and
11 upon warrants issued by the Director of Administrative Services
12 and countersigned by the State Treasurer. The expenditures of the
13 examining board shall be kept within the income collected and
14 remitted to the State Treasurer by the examining board. Transfers
15 may be made from the fund to the General Fund at the direction
16 of the Legislature. Any money in the fund Land Surveyor Examiner's
17 Fund available for investment shall be invested by the state
18 investment officer pursuant to the Nebraska Capital Expansion Act
19 and the Nebraska State Funds Investment Act.

20 Sec. 83. Section 81-8,194, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 81-8,194 (1) The board shall establish fees of not
23 less than one hundred nor more than three hundred dollars
24 for applications for registration, examinations, certificates of
25 registration, reciprocal registrations, and renewals based on the

1 administration costs incurred by the board. The board shall collect
2 and account for such fees and pay the same into the state treasury
3 and which, by the State Treasurer, shall be credited to the State
4 Board of Landscape Architects Cash Fund which is hereby created.

5 (2) Transfers may be made from the State Board of
6 Landscape Architects Cash Fund to the General Fund at the direction
7 of the Legislature. Any money in the State Board of Landscape
8 Architects Cash Fund available for investment shall be invested
9 by the state investment officer pursuant to the Nebraska Capital
10 Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 84. Section 81-1120.23, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 81-1120.23 There is hereby established a cash fund to
14 be known as the Communications Cash Fund. Appropriations made to
15 the division of communications of the office of Chief Information
16 Officer for the purposes of sections 81-1120.01 to 81-1120.28 shall
17 be credited to the fund. All funds received under such sections
18 and all funds received for communications services provided to
19 any agency, department, or other user shall be credited to the
20 fund. The division shall, under policies and procedures established
21 by the director, expend funds from time to time credited to the
22 fund for the communications purposes enumerated in such sections.
23 Transfers may be made from the fund to the General Fund at the
24 direction of the Legislature. Any money in the ~~fund~~ Communications
25 Cash Fund available for investment shall be invested by the state

1 investment officer pursuant to the Nebraska Capital Expansion Act
2 and the Nebraska State Funds Investment Act.

3 Sec. 85. Section 81-1201.21, Revised Statutes Supplement,
4 2009, is amended to read:

5 81-1201.21 (1) There is hereby created the Job Training
6 Cash Fund. The fund shall be under the direction of the Department
7 of Economic Development. Money may be transferred to the fund
8 pursuant to subdivision (1)(b)(iv) of section 48-621 and from
9 the Cash Reserve Fund at the direction of the Legislature. The
10 department shall establish a subaccount for all money transferred
11 from the Cash Reserve Fund to the Job Training Cash Fund on or
12 after July 1, 2005. Any unexpended or unobligated balance remaining
13 within such subaccount on July 1, 2014, shall be transferred by the
14 State Treasurer to the Cash Reserve Fund no later than July 10,
15 2014. Any obligated amount not transferred from the subaccount that
16 remains unexpended on July 1, 2013, shall be transferred by the
17 State Treasurer to the Cash Reserve Fund no later than December 31,
18 2015. Transfers may be made from the Job Training Cash Fund to the
19 General Fund at the direction of the Legislature.

20 (2) The department shall use the Job Training Cash Fund
21 to provide reimbursements for job training activities, including
22 employee assessment, preemployment training, on-the-job training,
23 training equipment costs, and other reasonable costs related to
24 helping industry and business locate or expand in Nebraska, or
25 to provide upgrade skills training of the existing labor force

1 necessary to adapt to new technology or the introduction of new
2 product lines.

3 (3) The department shall establish a subaccount within
4 the fund to provide job training grants targeted to small
5 employers, rural employers, and poverty area employers meeting
6 one of the following criteria: (a) Employ twenty-five or fewer
7 employees, (b) located in rural areas of Nebraska, or (c) located
8 in areas of high concentration of poverty within the corporate
9 limits of a city or village consisting of one or more contiguous
10 census tracts, as determined by the most recent federal decennial
11 census, which contain a percentage of persons below the poverty
12 line of greater than thirty percent, and all census tracts
13 contiguous to such tract or tracts, as determined by the most
14 recent federal decennial census. The department shall calculate the
15 amount of prior year investment income earnings accruing to the
16 fund and allocate such amount to the subaccount for small, rural,
17 or poverty area employer grants.

18 (4) Any money in the fund available for investment
19 shall be invested by the state investment officer pursuant to
20 the Nebraska Capital Expansion Act and the Nebraska State Funds
21 Investment Act.

22 Sec. 86. Section 81-1201.22, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 81-1201.22 (1) There is hereby created the Administrative
25 Cash Fund to be administered by the department. Revenue from the

1 following sources shall be remitted to the State Treasurer for
2 credit to the fund:

3 (a) Fees charged for the sale of department publications
4 or subscription to publications;

5 (b) Fees charged for the sale of Nebraska items promoting
6 economic development of the state, including travel and tourism;

7 (c) Deposits charged for the temporary use of Nebraska
8 items promoting economic development of the state, including travel
9 and tourism;

10 (d) Fees charged for attendance and participation in
11 department-sponsored conferences, training sessions, and other
12 special events;

13 (e) Money collected from nondepartment sources in
14 connection with cooperative funding of advertising, marketing,
15 promotional, or consulting activities; and

16 (f) Money received by the department in the form of
17 gifts, grants, reimbursements, or appropriations from any source
18 intended to be used by the department for carrying out the
19 provisions of Chapter 81, article 12.

20 (2) Revenue from the fund may be expended for the
21 following purposes:

22 (a) Production and distribution costs of department
23 publications;

24 (b) Purchase of items promoting economic development of
25 the state, including travel and tourism, intended for sale;

1 (c) Reimbursement of deposits collected for the temporary
2 use of promotional items;

3 (d) Payment of costs in connection with
4 department-sponsored conferences, training sessions, and other
5 special events;

6 (e) Payment of costs of advertising, marketing,
7 promotional, or consulting activities in cooperative funding
8 partnerships with nondepartment organizations; and

9 (f) Payment of costs for which fund revenue has been
10 received and which are related to department activities in Chapter
11 81, article 12.

12 (3) Transfers may be made from the fund to the General
13 Fund at the direction of the Legislature. Any money in the fund
14 Administrative Cash Fund available for investment shall be invested
15 by the state investment officer pursuant to the Nebraska Capital
16 Expansion Act and the Nebraska State Funds Investment Act.

17 Sec. 87. Section 81-1252, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 81-1252 (1) There is hereby created in the state treasury
20 a special fund to be known as the State Visitors Promotion Cash
21 Fund which shall be under the Department of Economic Development.

22 (2) The division of travel and tourism in the Department
23 of Economic Development shall use the proceeds of the State
24 Visitors Promotion Cash Fund to generally promote, encourage, and
25 attract visitors to and within the State of Nebraska and enhance

1 the use of travel and tourism facilities within the state. The
2 proceeds of the State Visitors Promotion Cash Fund shall be in
3 addition to funds appropriated to the Department of Economic
4 Development, division of travel and tourism, from the state General
5 Fund.

6 (3) Transfers may be made from the State Visitors
7 Promotion Cash Fund to the General Fund at the direction of
8 the Legislature. Any money in the State Visitors Promotion Cash
9 Fund available for investment shall be invested by the state
10 investment officer pursuant to the Nebraska Capital Expansion Act
11 and the Nebraska State Funds Investment Act.

12 Sec. 88. Section 81-1278, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 81-1278 There is hereby created for the use of the
15 Department of Economic Development a fund, to be known as the
16 Nebraska Agricultural Products Research Fund, to consist of any
17 funds appropriated by the Legislature and any funds received by
18 gift or from the federal government to be used for the purpose
19 provided in section 81-1279. Transfers may be made from the fund
20 to the General Fund at the direction of the Legislature. Any money
21 in the ~~fund~~ Nebraska Agricultural Products Research Fund available
22 for investment shall be invested by the state investment officer
23 pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act.

25 Sec. 89. Section 81-1413.01, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 81-1413.01 There is hereby created the Nebraska Law
3 Enforcement Training Center Cash Fund. All receipts for tuition and
4 fees paid to the Nebraska Law Enforcement Training Center shall be
5 paid into the state treasury and by the State Treasurer credited
6 to the Nebraska Law Enforcement Training Center Cash Fund. Such
7 fund shall be used to defray the expenses of the training center,
8 except that transfers may be made from the fund to the General
9 Fund at the direction of the Legislature. Any money in the Nebraska
10 Law Enforcement Training Center Cash Fund available for investment
11 shall be invested by the state investment officer pursuant to
12 the Nebraska Capital Expansion Act and the Nebraska State Funds
13 Investment Act.

14 Sec. 90. Section 81-1428, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 81-1428 The Law Enforcement Improvement Fund is created
17 and shall be maintained by the State Treasurer as a cash fund.
18 The fund shall consist of revenue credited pursuant to section
19 81-1429 and investment income. The fund shall be used for payment
20 of administrative and operations expenses of the Nebraska Law
21 Enforcement Training Center and such other expenses as budgeted by
22 the Legislature for the improvement of law enforcement, except that
23 transfers may be made from the fund to the General Fund at the
24 direction of the Legislature. The ~~fund~~ Law Enforcement Improvement
25 Fund shall be administered by the director. Any money in the fund

1 available for investment shall be invested by the state investment
2 officer pursuant to the Nebraska Capital Expansion Act and the
3 Nebraska State Funds Investment Act.

4 Sec. 91. Section 81-15,121, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 81-15,121 (1) A person shall not (a) maintain or use any
7 tank for the storage of regulated substances, (b) install any new
8 tank, or (c) permanently close a tank without first securing a
9 permit from the State Fire Marshal.

10 (2) A fee shall not be charged for a permit under
11 subdivision (1)(a) or (c) of this section. The fee for a permit for
12 installation shall be fifty dollars. The State Fire Marshal shall
13 remit the fee to the State Treasurer for credit to the Underground
14 Storage Tank Fund.

15 (3) All owners of operating tanks, except those provided
16 for in subsection (4) of this section, shall annually register each
17 tank. All registration permits shall expire on December 31 of the
18 year for which the permit was issued. The registration fee shall
19 be thirty dollars per tank. The State Fire Marshal shall remit the
20 fee to the State Treasurer for credit to the Underground Storage
21 Tank Fund. Such permits shall contain the information specified in
22 subsection (5) of this section.

23 (4) In the case of tanks permanently abandoned on or
24 after January 1, 1974, an annual permit shall not be required and
25 an initial registration permit shall be sufficient.

1 (5) The application for a registration permit shall be
2 provided by and filed with the State Fire Marshal's office and
3 shall require, but not be limited to, the following information:

4 (a) The date the tank was placed in or taken out of
5 operation;

6 (b) The age of the tank;

7 (c) The size, type, and location of the tank; and

8 (d) The type of substances stored in the tank and the
9 quantity of such substances remaining in the tank if the tank has
10 been permanently closed.

11 (6) The registration permit fee collected pursuant to
12 this section shall be deposited in the Underground Storage Tank
13 Fund which is hereby created as a cash fund. The fund shall also
14 consist of any money appropriated to the fund by the state. The
15 fund shall be administered by the State Fire Marshal to carry out
16 the purposes of the Petroleum Products and Hazardous Substances
17 Storage and Handling Act. Transfers may be made from the fund
18 to the General Fund at the direction of the Legislature. Any
19 money in such fund the Underground Storage Tank Fund available
20 for investment shall be invested by the state investment officer
21 pursuant to the Nebraska Capital Expansion Act and the Nebraska
22 State Funds Investment Act.

23 Sec. 92. Section 81-15,160, Revised Statutes Supplement,
24 2009, is amended to read:

25 81-15,160 (1) The Waste Reduction and Recycling Incentive

1 Fund is created. The department shall deduct from the fund amounts
2 sufficient to reimburse itself for its costs of administration
3 of the fund. The fund shall be administered by the Department
4 of Environmental Quality. The fund shall consist of proceeds from
5 the fees imposed pursuant to the Waste Reduction and Recycling
6 Incentive Act.

7 (2) The fund may be used for purposes which include, but
8 are not limited to:

9 (a) Technical and financial assistance to political
10 subdivisions for creation of recycling systems and for modification
11 of present recycling systems;

12 (b) Recycling and waste reduction projects, including
13 public education, planning, and technical assistance;

14 (c) Market development for recyclable materials separated
15 by generators, including public education, planning, and technical
16 assistance;

17 (d) Capital assistance for establishing private and
18 public intermediate processing facilities for recyclable materials
19 and facilities using recyclable materials in new products;

20 (e) Programs which develop and implement composting of
21 yard waste and composting with sewage sludge;

22 (f) Technical assistance for waste reduction and waste
23 exchange for waste generators;

24 (g) Programs to assist communities and counties to
25 develop and implement household hazardous waste management

1 programs;

2 (h) Capital assistance for establishing private and
3 public facilities to manufacture combustible waste products and
4 to incinerate combustible waste to generate and recover energy
5 resources, except that no disbursements shall be made under this
6 section for scrap tire processing related to tire-derived fuel; and

7 (i) Grants for reimbursement of costs to cities of the
8 second class, villages, and counties of five thousand or fewer
9 population for the deconstruction of abandoned buildings. Eligible
10 deconstruction costs will be related to the recovery and processing
11 of recyclable or reusable material from the abandoned buildings.

12 (3) Grants up to one million dollars annually shall be
13 available until June 30, 2014, for new scrap tire projects only, if
14 acceptable scrap tire project applications are received. Eligible
15 categories of disbursement under section 81-15,161 may include, but
16 are not limited to:

17 (a) Reimbursement for the purchase of crumb rubber
18 generated and used in Nebraska, with disbursements not to exceed
19 fifty percent of the cost of the crumb rubber;

20 (b) Reimbursement for the purchase of tire-derived
21 product which utilizes a minimum of twenty-five percent recycled
22 tire content, with disbursements not to exceed twenty-five percent
23 of the product's retail cost, except that persons who applied for
24 a grant between June 1, 1999, and May 31, 2001, for the purchase
25 of tire-derived product which utilizes a minimum of twenty-five

1 percent recycled tire content may apply for reimbursement on or
2 before July 1, 2002. Reimbursement shall not exceed twenty-five
3 percent of the product's retail cost and may be funded in fiscal
4 years 2001-02 and 2002-03;

5 (c) Participation in the capital costs of building,
6 equipment, and other capital improvement needs or startup costs
7 for scrap tire processing or manufacturing of tire-derived product,
8 with disbursements not to exceed fifty percent of such costs or
9 five hundred thousand dollars, whichever is less;

10 (d) Participation in the capital costs of building,
11 equipment, or other startup costs needed to establish collection
12 sites or to collect and transport scrap tires, with disbursements
13 not to exceed fifty percent of such costs;

14 (e) Cost-sharing for the manufacturing of tire-derived
15 product, with disbursements not to exceed twenty dollars per ton
16 or two hundred fifty thousand dollars, whichever is less, to any
17 person annually;

18 (f) Cost-sharing for the processing of scrap tires, with
19 disbursements not to exceed twenty dollars per ton or two hundred
20 fifty thousand dollars, whichever is less, to any person annually;

21 (g) Cost-sharing for the use of scrap tires for civil
22 engineering applications for specified projects, with disbursements
23 not to exceed twenty dollars per ton or two hundred fifty thousand
24 dollars, whichever is less, to any person annually; and

25 (h) Disbursement to a political subdivision up to one

1 hundred percent of costs incurred in cleaning up scrap tire
2 collection and disposal sites.

3 The director shall give preference to projects which
4 utilize scrap tires generated and used in Nebraska.

5 (4) Priority for grants made under section 81-15,161
6 shall be given to grant proposals demonstrating a formal
7 public/private partnership except for grants awarded from fees
8 collected under subsection (6) of section 13-2042.

9 (5) Grants awarded from fees collected under subsection
10 (6) of section 13-2042 may be renewed for up to a five-year
11 grant period. Such applications shall include an updated integrated
12 solid waste management plan pursuant to section 13-2032. Annual
13 disbursements are subject to available funds and the grantee
14 meeting established grant conditions. Priority for such grants
15 shall be given to grant proposals showing regional participation
16 and programs which address the first integrated solid waste
17 management hierarchy as stated in section 13-2018 which shall
18 include toxicity reduction. Disbursements for any one year shall
19 not exceed fifty percent of the total fees collected after rebates
20 under subsection (6) of section 13-2042 during that year.

21 (6) Any person who stores waste tires in violation
22 of section 13-2033, which storage is the subject of abatement
23 or cleanup, shall be liable to the State of Nebraska for the
24 reimbursement of expenses of such abatement or cleanup paid by the
25 Department of Environmental Quality.

1 (7) The Department of Environmental Quality may receive
2 gifts, bequests, and any other contributions for deposit in the
3 Waste Reduction and Recycling Incentive Fund. Transfers may be
4 made from the fund to the General Fund at the direction of the
5 Legislature. Any money in the ~~fund~~ Waste Reduction and Recycling
6 Incentive Fund available for investment shall be invested by the
7 state investment officer pursuant to the Nebraska Capital Expansion
8 Act and the Nebraska State Funds Investment Act.

9 Sec. 93. Section 81-15,165, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 81-15,165 The Tax Commissioner shall deduct and withhold
12 from the fees collected pursuant to sections 81-15,159 to 81-15,165
13 a fee sufficient to reimburse himself or herself for the actual
14 cost of collecting and administering such fees and shall credit
15 such collection fee to the Waste Reduction and Recycling Incentive
16 Fees Collection Fund which is hereby created. The Legislature shall
17 appropriate money from the fund to the Department of Revenue to
18 cover the actual costs of the department in administering the Waste
19 Reduction and Recycling Incentive Act. Transfers may be made from
20 the fund to the General Fund at the direction of the Legislature.
21 Any money in the ~~fund~~ Waste Reduction and Recycling Incentive Fees
22 Collection Fund available for investment shall be invested by the
23 state investment officer pursuant to the Nebraska Capital Expansion
24 Act and the Nebraska State Funds Investment Act.

25 Sec. 94. Section 81-15,180, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 81-15,180 The Superfund Cost Share Cash Fund is created.
3 The Department of Environmental Quality shall remit grants and
4 gifts received by the department for purposes of providing cost
5 share for remediation of superfund sites to the State Treasurer for
6 credit to the fund. The department shall administer the Superfund
7 Cost Share Cash Fund to pay for nonfederal costs, including costs
8 for in-kind services, required as cost share for remediation of
9 superfund sites. Transfers may be made from the fund to the General
10 Fund at the direction of the Legislature. Any money in the fund
11 Superfund Cost Share Cash Fund available for investment shall be
12 invested by the state investment officer pursuant to the Nebraska
13 Capital Expansion Act and the Nebraska State Funds Investment Act.

14 The State Treasurer shall transfer the balance of
15 the Department of Environmental Quality Superfund Cash Fund,
16 administratively created pursuant to section 81-1111.04, to the
17 Superfund Cost Share Cash Fund.

18 Sec. 95. Section 81-1607.01, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 81-1607.01 The State Energy Office Cash Fund is hereby
21 created. The fund shall consist of funds received pursuant to
22 section 57-705. The fund shall be used for the administration of
23 sections 81-1601 to 81-1607, for energy conservation activities,
24 and for providing technical assistance to communities in the
25 area of natural gas other than assistance regarding ownership of

1 regulated utilities, except that transfers may be made from the
2 fund to the General Fund at the direction of the Legislature.

3 Any money in the ~~fund~~ State Energy Office Cash Fund available
4 for investment shall be invested by the state investment officer
5 pursuant to the Nebraska Capital Expansion Act and the Nebraska
6 State Funds Investment Act.

7 Sec. 96. Section 81-1634, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 81-1634 Funds received in repayment for energy efficiency
10 loans from the School Weatherization Fund shall be credited to
11 the General Fund. For each fiscal year in which there are any
12 outstanding loans, the Legislature shall designate a portion of
13 the funds received in repayment for energy efficiency loans for
14 use by the State Energy Office to cover the actual cost of
15 administering outstanding loans. Transfers may be made from the
16 School Weatherization Fund to the General Fund at the direction of
17 the Legislature.

18 Sec. 97. Section 81-2004.01, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 81-2004.01 (1) The Carrier Enforcement Cash Fund is
21 created. The fund shall be established within the Nebraska State
22 Patrol and administered by the Superintendent of Law Enforcement
23 and Public Safety. The fund shall consist of fund transfers made
24 each fiscal year from the Roads Operations Cash Fund as authorized
25 by the Legislature through the budget process.

1 (2) The Carrier Enforcement Cash Fund shall only be used
2 to pay the costs associated with the operation of the carrier
3 enforcement division of the patrol, except that (a) the Legislature
4 may authorize fund transfers each fiscal year through the budget
5 process from the Carrier Enforcement Cash Fund to the Nebraska
6 Public Safety Communication System Cash Fund to pay the carrier
7 enforcement division's share of operations costs of the Nebraska
8 Public Safety Communication System and (b) transfers may be made
9 from the fund to the General Fund at the direction of the
10 Legislature.

11 (3) Any money in the Carrier Enforcement Cash Fund
12 available for investment shall be invested by the state investment
13 officer pursuant to the Nebraska Capital Expansion Act and the
14 Nebraska State Funds Investment Act.

15 Sec. 98. Section 81-2004.05, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 81-2004.05 There is hereby created the Public Safety Cash
18 Fund. All forfeitures and proceeds received by the Nebraska State
19 Patrol under the federal Equitable Sharing Provisions or any other
20 federal agreement from any agency of the federal government on or
21 after July 10, 1990, shall be deposited in the fund. This section
22 shall not apply to funds otherwise subject to sections 28-431
23 and 28-1439.02. The fund shall be used only in accordance with
24 the applicable requirements of the federal government, except that
25 transfers may be made from the fund to the General Fund at the

1 direction of the Legislature. The fund shall be administered by the
2 Superintendent of Law Enforcement and Public Safety. Any money in
3 the ~~fund~~ Public Safety Cash Fund available for investment shall be
4 invested by the state investment officer pursuant to the Nebraska
5 Capital Expansion Act and the Nebraska State Funds Investment Act.

6 Sec. 99. Section 81-2105, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 81-2105 There is hereby created the Electrical Division
9 Fund. All money received under the State Electrical Act shall be
10 remitted to the State Treasurer for credit to the fund. Each member
11 of the board shall be reimbursed for the actual and necessary
12 expenses incurred in the performance of his or her duties pursuant
13 to sections 81-1174 to 81-1177 to be paid out of the fund.
14 Transfers may be made from the fund to the General Fund at the
15 direction of the Legislature.

16 Sec. 100. Section 81-3119, Revised Statutes Supplement,
17 2009, is amended to read:

18 81-3119 The Health and Human Services Cash Fund is
19 created and shall consist of funds from contracts, grants, gifts,
20 or fees. ~~On or before July 15, 2008, one million dollars shall~~
21 ~~be transferred from the Health and Human Services Cash Fund to~~
22 ~~the Rural Health Professional Incentive Fund. On July 9, 2009,~~
23 ~~two hundred fifteen thousand dollars shall be transferred from the~~
24 ~~Health and Human Services Cash Fund to the State Medicaid Fraud~~
25 ~~Control Unit Cash Fund.~~ Transfers may be made from the fund to

1 the General Fund at the direction of the Legislature. Any money in
2 the Health and Human Services Cash Fund available for investment
3 shall be invested by the state investment officer pursuant to
4 the Nebraska Capital Expansion Act and the Nebraska State Funds
5 Investment Act.

6 Sec. 101. Section 81-3432, Revised Statutes Supplement,
7 2009, is amended to read:

8 81-3432 The Engineers and Architects Regulation Fund is
9 created. The secretary of the board shall receive and account
10 for all money derived from the operation of the Engineers
11 and Architects Regulation Act and shall remit the money to
12 the State Treasurer for credit to the Engineers and Architects
13 Regulation Fund. All expenses certified by the board as properly
14 and necessarily incurred in the discharge of duties, including
15 compensation and administrative staff, and any expense incident to
16 the administration of the act relating to other states shall be
17 paid out of the fund. Loan repayments payable pursuant to section
18 81-3432.01 shall be paid out of the fund. Warrants for the payment
19 of expenses shall be issued by the Director of Administrative
20 Services and paid by the State Treasurer upon presentation of
21 vouchers regularly drawn by the chairperson and secretary of the
22 board and approved by the board. At no time shall the total amount
23 of warrants exceed the total amount of the fees collected under
24 the act and to the credit of the fund. Transfers may be made from
25 the fund to the General Fund at the direction of the Legislature.

1 Any money in the ~~fund~~ Engineers and Architects Regulation Fund
2 available for investment shall be invested by the state investment
3 officer pursuant to the Nebraska Capital Expansion Act and the
4 Nebraska State Funds Investment Act.

5 Sec. 102. Section 81-3524, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 81-3524 The Geologists Regulation Fund is created. The
8 secretary of the board shall receive and account for all money
9 derived from the operation of the Geologists Regulation Act. The
10 board shall remit the money to the State Treasurer for credit to
11 the Geologists Regulation Fund, which shall be continued from year
12 to year and shall be drawn against only as provided for in this
13 section and, when reappropriated for the succeeding biennium, shall
14 not revert to the General Fund. All expenses certified by the board
15 as properly and necessarily incurred in the discharge of duties,
16 including compensation and administrative staff, and any expense
17 incident to the administration of the act relating to other states,
18 shall be paid out of the fund. Warrants for the payment of expenses
19 shall be issued by the Director of Administrative Services and
20 paid by the State Treasurer upon presentation of vouchers regularly
21 drawn by the chairperson and secretary of the board and approved
22 by the board. At no time shall the total amount of warrants exceed
23 the total amount of the fees collected under the act and to the
24 credit of the fund. Transfers may be made from the fund to the
25 General Fund at the direction of the Legislature. Any money in the

1 ~~fund~~ Geologists Regulation Fund available for investment shall be
2 invested by the state investment officer pursuant to the Nebraska
3 Capital Expansion Act and the Nebraska State Funds Investment Act.

4 Sec. 103. Section 82-108.02, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 82-108.02 All funds received by the Nebraska State
7 Historical Society for services rendered shall be remitted to
8 the State Treasurer for credit to the Historical Society Fund which
9 is hereby established. Funds to the credit of the fund shall only
10 be expended, as and when appropriated by the Legislature, by the
11 Nebraska State Historical Society for the general purposes of such
12 society, except that transfers may be made from the fund to the
13 General Fund at the direction of the Legislature. Any money in
14 the ~~fund~~ Historical Society Fund available for investment shall be
15 invested by the state investment officer pursuant to the Nebraska
16 Capital Expansion Act and the Nebraska State Funds Investment Act.

17 Sec. 104. Section 82-316, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 82-316 There is hereby created in the state treasury
20 a special fund to be known as the Nebraska Arts Council Cash
21 Fund. All sums of money received from fees from any conference,
22 performance, or exhibition held by the council or by groups who
23 have contracted with the council for such events shall be paid
24 into the state treasury and the State Treasurer shall deposit the
25 money in the Nebraska Arts Council Cash Fund. The State Treasurer

1 shall disburse to the Nebraska Arts Council such amounts in the
2 cash fund as are available and as shall be considered incident to
3 the administration and sponsoring of any conference, performance,
4 or exhibition by the Nebraska Arts Council or by groups who have
5 contracted with the council for such events. All disbursements
6 shall be made upon warrants drawn by the Director of Administrative
7 Services. Transfers may be made from the fund to the General Fund
8 at the direction of the Legislature. Any money in the Nebraska Arts
9 Council Cash Fund available for investment shall be invested by the
10 state investment officer pursuant to the Nebraska Capital Expansion
11 Act and the Nebraska State Funds Investment Act.

12 Sec. 105. Section 83-913.01, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 83-913.01 (1) There is hereby created the Department of
15 Correctional Services Facility Cash Fund.

16 Except as otherwise provided, all money derived from any
17 source in any facility under the supervision of the Department
18 of Correctional Services shall be remitted to the State Treasurer
19 in accordance with the policies and procedures established by
20 the Director of Correctional Services for credit to the fund.
21 Transfers may be made from the fund to the General Fund at the
22 direction of the Legislature. Any money in the ~~fund~~ Department of
23 Correctional Services Facility Cash Fund available for investment
24 may be invested pursuant to the Nebraska Capital Expansion Act and
25 the Nebraska State Funds Investment Act.

1 (2) All disbursements from the fund shall be made by the
2 Director of Administrative Services by warrants drawn on the fund
3 only upon certification of expenses by the chief executive officer
4 of the appropriate facility within the Department of Correctional
5 Services and upon presentation of proper vouchers for such expenses
6 by the Director of Correctional Services or his or her authorized
7 agent.

8 Sec. 106. Section 84-321, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 84-321 There is hereby created in the office of the
11 Auditor of Public Accounts a cash fund to be known as the Auditor
12 of Public Accounts Cash Fund. The fund shall be used for payment
13 for services performed by the Auditor of Public Accounts for
14 state agencies, political subdivisions, and grantees of federal
15 funds disbursed by a receiving agency for which he or she is
16 entitled to reimbursement on a contractual or other basis for such
17 reimbursement. Transfers may be made from the fund to the General
18 Fund at the direction of the Legislature. Any money in the Auditor
19 of Public Accounts Cash Fund available for investment shall be
20 invested by the state investment officer pursuant to the Nebraska
21 Capital Expansion Act and the Nebraska State Funds Investment Act.

22 Sec. 107. Section 84-409, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 84-409 There shall be paid to the State Treasurer, for
25 each day the State Surveyor is engaged in making any survey or in

1 settling and disposing of disputes and disagreements, as provided
2 in section 84-410, a per diem rate of compensation as determined by
3 the Board of Educational Lands and Funds for his or her services
4 and the necessary expenses incurred in making the same. All fees
5 received for the services and expenses of the State Surveyor or
6 deputy surveyors shall be paid into the state treasury and by the
7 State Treasurer placed in a fund to be known as Surveyors' Cash
8 Fund, which fund shall be used in paying the salaries and expenses
9 of deputy surveyors, except as provided in section 84-407.01, in
10 making surveys and for making refunds on deposits. All fees and
11 expenses placed in the Surveyors' Cash Fund for the services and
12 expenses of the State Surveyor, after the payments from the cash
13 fund are made as hereinbefore provided, shall be transferred to
14 the General Fund. Transfers may be made from the Surveyors' Cash
15 Fund to the General Fund at the direction of the Legislature. Any
16 money in the Surveyors' Cash Fund available for investment shall be
17 invested by the state investment officer pursuant to the Nebraska
18 Capital Expansion Act and the Nebraska State Funds Investment Act.

19 Sec. 108. Section 84-414, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 84-414 The State Surveyor, under the direction of the
22 Board of Educational Lands and Funds, shall receive and account
23 for all money derived from the operation of the survey record
24 repository pursuant to sections 84-412 and 84-413, and shall
25 pay such money to the State Treasurer, who shall credit it to

1 the Survey Record Repository Fund which is hereby created. When
2 appropriated by the Legislature, this fund shall be expended
3 only for the purposes of sections 84-412 and 84-413, except that
4 transfers may be made from the fund to the General Fund at the
5 direction of the Legislature. All money in the ~~fund~~ Survey Record
6 Repository Fund available for investment shall be invested by the
7 state investment officer pursuant to the Nebraska Capital Expansion
8 Act and the Nebraska State Funds Investment Act.

9 Sec. 109. Section 84-510, Revised Statutes Supplement,
10 2009, is amended to read:

11 84-510 The Corporation Cash Fund is created. Transfers
12 from the fund to the Election Administration Fund or the General
13 Fund may be made at the direction of the Legislature. ~~The State~~
14 ~~Treasurer shall transfer five hundred thousand dollars from the~~
15 ~~Corporation Cash Fund to the General Fund on or before July~~
16 ~~5, 2009.~~ Any money in the Corporation Cash Fund available for
17 investment shall be invested by the state investment officer
18 pursuant to the Nebraska Capital Expansion Act and the Nebraska
19 State Funds Investment Act.

20 Sec. 110. Section 84-1227, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 84-1227 There is hereby established in the state treasury
23 a special fund to be known as the Records Management Cash Fund
24 which, when appropriated by the Legislature, shall be expended
25 by the Secretary of State for the purposes of providing records

1 management services and assistance to political subdivisions, for
2 development and maintenance of a gateway or electronic network for
3 accessing public records, and for grants to political subdivisions
4 as provided in subdivision (1)(j) of section 84-1204. All fees
5 and charges for the purpose of records management services and
6 analysis received by the Secretary of State from the political
7 subdivisions shall be remitted to the State Treasurer for credit to
8 such fund. Transfers may be made from the fund to the General Fund
9 at the direction of the Legislature. Any money in the fund Records
10 Management Cash Fund available for investment shall be invested
11 by the state investment officer pursuant to the Nebraska Capital
12 Expansion Act and the Nebraska State Funds Investment Act.

13 Sec. 111. Section 85-1419, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 85-1419 There is hereby created the Coordinating
16 Commission for Postsecondary Education Cash Fund. The fund shall
17 contain money received from application fees from out-of-state
18 institutions of higher and postsecondary education seeking
19 authorization to offer courses and programs in the State
20 of Nebraska and from private colleges seeking provisional
21 accreditation and money received by the commission for services
22 rendered incident to the administration of its statutory or
23 contractual functions. The fund shall be expended for the
24 administrative costs of reviewing applications, publishing and
25 duplicating reports, coordinating studies, conducting conferences,

1 and other related activities as may be authorized by the
2 Legislature or by contract, except that transfers may be made from
3 the fund to the General Fund at the direction of the Legislature.
4 All such money received by the commission shall be remitted to the
5 State Treasurer for credit to the ~~fund~~. Coordinating Commission
6 for Postsecondary Education Cash Fund. A report on the receipts
7 and expenditures from the fund shall be included as a part of
8 the operating budget request submitted to the Legislature and the
9 Governor. Any money in the fund available for investment shall be
10 invested by the state investment officer pursuant to the Nebraska
11 Capital Expansion Act and the Nebraska State Funds Investment Act.

12 Sec. 112. Section 85-1803, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 85-1803 The Nebraska educational savings plan trust shall
15 be operated with no General Fund appropriations. Money from the
16 trust transferred from the program fund or endowment fund to the
17 administrative fund in an amount authorized by an appropriation
18 from the Legislature shall be utilized to pay for the costs
19 of administering, operating, and maintaining the trust, to the
20 extent permitted by section 529 of the Internal Revenue Code. The
21 administrative fund shall not be credited with any money other than
22 money transferred from the program fund or endowment fund in an
23 amount authorized by an appropriation by the Legislature or any
24 interest income earned on the balances held in the administrative
25 fund. Transfers may be made from the administrative fund to the

1 General Fund at the direction of the Legislature.

2 Sec. 113. Section 86-127, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 86-127 (1) One of the goals of the federal
5 Telecommunications Act of 1996, as such act existed on January
6 1, 2002, is to foster competition among telephone companies.
7 Section 271 of the federal act (a) establishes specific incentives,
8 procedures, and requirements for regional Bell operating companies
9 to offer inter-LATA interexchange service and (b) requires the
10 Public Service Commission to monitor the competitive performance of
11 a regional Bell operating company and to consult with the Federal
12 Communications Commission regarding such activities.

13 (2) The Nebraska Competitive Telephone Marketplace Fund
14 is created. The Public Service Commission may accept, and the fund
15 shall consist of, any voluntary performance payments received from
16 a regional Bell operating company. The fund shall be used by the
17 commission for expenses related to the monitoring of compliance
18 with section 271 of the federal act. If money in the fund exceeds
19 thirty thousand dollars, the commission shall remit such excess
20 money to the State Treasurer for credit to the Nebraska Internet
21 Enhancement Fund, except that transfers may be made from the
22 Nebraska Competitive Telephone Marketplace Fund to the General Fund
23 at the direction of the Legislature. Any money in the Nebraska
24 Competitive Telephone Marketplace Fund available for investment
25 shall be invested by the state investment officer pursuant to

1 the Nebraska Capital Expansion Act and the Nebraska State Funds
2 Investment Act.

3 Sec. 114. Section 86-312, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 86-312 (1) The Nebraska Telecommunications Relay System
6 Fund is created. The fund shall be used to provide a statewide
7 telecommunications relay system and to administer a statewide
8 voucher program to provide specialized telecommunications equipment
9 to qualified deaf, hard of hearing, and speech-impaired persons in
10 Nebraska, except that transfers may be made from the fund to the
11 General Fund at the direction of the Legislature.

12 (2) Based upon the price of the equipment, vouchers shall
13 be issued by the program administrator to pay private vendors
14 for all or part of the cost of the equipment. After purchase,
15 the recipient is the owner of the equipment and responsible for
16 enforcement of any warranties and repairs.

17 (3) Any money in the ~~fund~~ Nebraska Telecommunications
18 Relay System Fund available for investment shall be invested by the
19 state investment officer pursuant to the Nebraska Capital Expansion
20 Act and the Nebraska State Funds Investment Act.

21 Sec. 115. Section 86-463, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 86-463 The Enhanced Wireless 911 Fund is created. The
24 fund shall consist of the surcharges credited to the fund,
25 any money appropriated by the Legislature, any federal funds

1 received for wireless emergency communication, and any other funds
2 designated for credit to the fund. Money in the fund shall be
3 used for the costs of administering the fund and the purposes
4 specified in section 86-465 unless otherwise directed by federal
5 law with respect to any federal funds. The costs of administering
6 the fund shall be kept to a minimum. The money in the fund shall
7 not be subject to any fiscal-year limitation or lapse provision
8 of unexpended balance at the end of any fiscal year or biennium.
9 Transfers may be made from the fund to the General Fund at the
10 direction of the Legislature. Any money in the fund Enhanced
11 Wireless 911 Fund available for investment shall be invested by the
12 state investment officer pursuant to the Nebraska Capital Expansion
13 Act and the Nebraska State Funds Investment Act.

14 Sec. 116. Section 88-545.01, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 88-545.01 (1) The commission may enter into contracts
17 with public or private entities which provide a benefit for both
18 parties for purposes of performing audit or examination work.
19 The commission shall conduct the work as time permits and shall
20 not allow the work to conflict with the commission's primary
21 responsibility of performing grain warehouse examinations within
22 the prescribed statutory time.

23 (2) Fees from audit or examination contracts shall be
24 remitted by the commission to the State Treasurer for credit
25 to the Grain Warehouse Auditing Fund which is created. The fund

1 shall be available to the commission to buy material and equipment
2 for performing audits and examinations or to offset the cost of
3 performing audits and examinations. Transfers may be made from the
4 fund to the General Fund at the direction of the Legislature.
5 Any money in the ~~fund~~ Grain Warehouse Auditing Fund available
6 for investment shall be invested by the state investment officer
7 pursuant to the Nebraska Capital Expansion Act and the Nebraska
8 State Funds Investment Act.

9 Sec. 117. Section 88-552, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 88-552 There is hereby created in the state treasury a
12 fund to be known as the Nebraska Grain Warehouse Surveillance Cash
13 Fund. Such fund shall be used solely for disbursing funds and
14 receiving reimbursement for services performed by the commission in
15 the suspension or termination of a warehouse operation, except that
16 transfers may be made from the fund to the General Fund at the
17 direction of the Legislature. All money received by the commission
18 for such services shall be remitted to the State Treasurer for
19 credit to ~~such fund.~~ the Nebraska Grain Warehouse Surveillance Cash
20 Fund. Any money in the fund available for investment shall be
21 invested by the state investment officer pursuant to the Nebraska
22 Capital Expansion Act and the Nebraska State Funds Investment Act.

23 Sec. 118. Section 89-1,100, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 89-1,100 The director shall collect registration, permit,

1 laboratory, test, and inspection fees, penalties, and money
2 required to be reimbursed as provided for in the Weights and
3 Measures Act and shall remit such funds to the State Treasurer.
4 The State Treasurer shall credit such funds to the Weights and
5 Measures Administrative Fund, which fund is hereby created. All
6 fees, penalties, and reimbursements collected pursuant to the act
7 and credited to the fund shall be appropriated to the uses of the
8 department to aid in defraying the expenses of administering the
9 act, except that transfers may be made from the fund to the General
10 Fund at the direction of the Legislature. Any unexpended balance
11 in ~~such fund~~ the Weights and Measures Administrative Fund at the
12 close of any biennium shall, when reappropriated, be available for
13 the uses and purposes of the fund for the succeeding biennium. Any
14 money in the fund available for investment shall be invested by the
15 state investment officer pursuant to the Nebraska Capital Expansion
16 Act and the Nebraska State Funds Investment Act. The registration,
17 permit, laboratory, test, and inspection fees, penalties, and money
18 required to be reimbursed as provided for in the Weights and
19 Measures Act shall constitute a lien on the weighing and measuring
20 devices or standards required to be registered or approved for
21 use in this state until such fees, penalties, and reimbursements
22 are paid. The director may sue for such fees, penalties, and
23 reimbursements and may seek to foreclose on any lien in the name of
24 the state. The county attorney of the county in which the device is
25 located or the Attorney General's office shall, upon the request of

1 the director, take appropriate action to establish and foreclose
2 on any such lien.

3 Sec. 119. Original sections 2-1222, 2-1503.01, 2-1577,
4 2-1587, 2-15,122, 2-1808, 2-2317, 2-2627, 2-3413, 2-3633, 2-3763,
5 2-3812, 2-4018, 3-126, 13-2704, 24-227.01, 24-229, 25-2921,
6 25-3002, 29-2259.02, 29-2262.07, 29-3921, 33-102, 35-1203, 37-345,
7 38-157, 46-1121, 46-1403, 50-437, 54-197, 54-635, 57-919, 66-739,
8 70-1020, 71-222.02, 71-4732, 72-1249.02, 72-2009, 76-549, 77-3,110,
9 77-4310.03, 77-5031, 79-810, 79-1320, 81-188.01, 81-201.05,
10 81-2,147.11, 81-2,162.27, 81-2,291, 81-528, 81-5,153, 81-8,110.07,
11 81-8,194, 81-1120.23, 81-1201.22, 81-1252, 81-1278, 81-1413.01,
12 81-1428, 81-15,121, 81-15,165, 81-15,180, 81-1607.01, 81-1634,
13 81-2004.01, 81-2004.05, 81-2105, 81-3524, 82-108.02, 82-316,
14 83-913.01, 84-321, 84-409, 84-414, 84-1227, 85-1419, 85-1803,
15 86-127, 86-312, 86-463, 88-545.01, 88-552, and 89-1,100, Reissue
16 Revised Statutes of Nebraska, sections 48-1,116, 49-14,140,
17 50-114.05, 53-117.06, 53-304, 54-857, 54-2428, 55-131, 59-1608.04,
18 60-3,218, 61-210, 61-218, 66-4,100, 71-5661, 71-5714, 71-8612,
19 72-2211, 72-2501, 76-2226, and 77-5601, Revised Statutes Cumulative
20 Supplement, 2008, and sections 1-111, 2-958.01, 2-5106, 47-632,
21 57-705, 60-2132, 66-1521, 66-1839, 77-1342, 81-885.15, 81-1201.21,
22 81-15,160, 81-3119, 81-3432, and 84-510, Revised Statutes
23 Supplement, 2009, are repealed.

24 Sec. 120. Since an emergency exists, this act takes
25 effect when passed and approved according to law.